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ABSTRACT

This comprehensive 1-year study of California's correctional system by a system task force was intended to: (1) describe the current correctional system in California from adjudication or sentence to dismissal, (2) develop the most efficient and effective, yet reasonably attainable, model for this system, and (3) prescribe and evaluate alternate routes from the current system to the model, including recommendations for legislative and organizational change. A series of 32 specific recommendations are detailed, covering: (1) a study of the intake process, (2) the correctional system in general, (3) new state and local partnerships, (4) a new subsidy program, (5) the establishment of a State Department of Correctional Services, (6) administrative style, and (7) local and state criminal justice commissions. Decentralized community-based correctional programs are recommended. A presentation of the overall methodology and background for this study precedes an articulation of the goals, principles, and strategies both of the study and of the proposed correctional system. A variety of tables and charts present the data. Topical summaries are included. A related report is available as VT 016 583 in this issue. (AG)

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THE SYSTEM

Correctional System Study

BOARD OF CORRECTIONS

HUMAN RELATIONS AGENCY

July, 1971

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CALIFORNIA CORRECTIONAL SYSTEM STUDY

Final Report

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CALIFORNIA CORRECTIONAL SYSTEM STUDY

SYSTEM TASK FORCE

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SUMMARY OF RECOMMENDATIONS

Intake Study

1. The State of California should immediately undertake a study of the intake process in the entire correctional system. Included in such a study should be the intake process involving both adults and juveniles, the use of citations, bail and O.R. (i.e. release of persons on their own recognizance), housing of unsentenced offenders, and the need for diverting certain categories of behavior out of the correctional system into some other more appropriate system.

The Correctional System in General

2. The new Department of Correctional Services later recommended in this Report should be given the responsibility to carry out a systematic evaluation of the classification programs offered within each component of corrections. Further, the new Department of Correctional Services should be given the responsibility to develop statements of minimal standards regarding the needed classification capability in all agencies of each correctional component.

3. The single most important recommendation of this study is that the bulk of the correctional effort, its programs, and its resources be moved to the community level.

4. Corrections should strengthen its commitment to a "community-based" approach by educating and involving the community in its operations and by maximizing its use of available community resources.

5. Simultaneously, corrections should redouble its efforts to develop effective alternatives to institutionalization, particularly State or lengthy local institutionalization.

6. The State and counties should make every effort to increase the coordination and continuum of treatment between pre-institutional, institutional, and post-institutional services, within their own agencies and between agencies.

7. Correctional facilities of the future should be small, decentralized, and community-based; no new facilities should be built unless they reflect a specific program plan approved by the State.

8. Correctional staff (both current and former) should be enabled to transfer between or compete for promotional opportunities in other correctional agencies, without loss of rank or benefits, provided they meet the necessary requirements. To facilitate this, the State and counties should coordinate their retirement systems and remove any civil service or other administrative barriers.

9. *Wherever appropriate, correctional agencies should create a case-carrying position equivalent to the first level supervisor in salary and other benefits.*

10. *Corrections should expand its efforts to hire and promote qualified minority workers.*

11. *Correctional agencies should begin organizing themselves into correctional service teams, with greatly expanded use of para-professionals and volunteers for direct services and greater use of professional staff as case or service managers and coordinators.*

12. *The State of California should immediately establish a centralized training unit, to coordinate all training activities and resources relevant to corrections throughout the State, modeled after the CO-ACT design. This program should include a network of local and State trainers, from corrections and other relevant groups, whose primary objective would be to assist each other in maximizing the effectiveness of correctional training.*

13. *This centralized training unit, together with its agency network, should immediately develop and implement a certification program for all correctional personnel in the State.*

14. *An advisory body of local correctional officials, criminal justice representatives, educators, and other appropriate individuals should be created to assist in the planning, implementation, and coordination of both the above responsibilities.*

15. *The new Department of Correctional Services should be assigned the ongoing responsibility of standard setting and enforcement. It should, however, strongly involve the counties in the setting of standards.*

16. *The existing research units of the California Department of Corrections and the California Youth Authority should be combined into the research unit of the new California Department of Correctional Services. This new research unit should devise a plan for linking together other existing research operations. Further, a plan for the development, and delivery of a research and evaluative function should be developed, leading into and being a part of the entire correctional system. Finally, the State of California should take responsibility for the implementation of that plan.*

New State-Local Partnership

17. *The State and counties should enter into a new "partnership" with clearly redefined roles and responsibilities. The State should assume the primary overall and enabling responsibility for corrections. This should include subventions and the following services to the counties:*

consultation; research; training; planning; standard-setting; inspections and enforcement. The State should also provide those few direct services, such as long-term confinement, which the counties are unable to provide. The counties should assume primary responsibility for the delivery of correctional services.

Subsidy Plan

18. Legislation should be introduced to accomplish the following:

a. Express the intent of the State to assume its appropriate overall responsibility for corrections in California.

b. Rescind the current probation subsidy program and subsidies for the maintenance and operation of programs in local juvenile institutions.

c. Create a new, broader-scope correctional subsidy program, to serve all facets of local corrections, to include mandatory local participation within 3 - 5 years, and to provide a priority for funding as follows:

Probation and probation-operated non-residential facilities and program...to be subsidized by the State at the rate of 75%.

Local "Open" Institutions, to consist of residential programs where the offender has almost daily contact with the community ...to be subsidized by the State at a rate of 60%.

Local "Closed" Institutions, which are short-term and community-based in nature. Confinement in such facilities shall be less than six months, and the facilities must be within or immediately adjacent to the community served...and must also involve a high degree of interaction with community resources...to be subsidized by the State at the rate of 40%.

Other local institutions...to be subsidized by the State at the rate of 25%.

d. Create a reimbursement program whereby the counties pay the State 75% of "career costs" for each person committed to State-operated correctional institutions.

e. Require that the new correctional subsidy program be reviewed and revised annually.

19. *The proposed State Department of Correctional Services, in cooperation with the counties, should develop minimum standards for all local corrections, and adherence to such standards should be mandatory for local participation in the correctional subsidy program. It is further recommended that the State enforce such standards.*

20. *Local jurisdictions should begin immediately to develop new programs and new facilities, either individually, or in concert with other counties.*

21. *In order to develop new programs and facilities, counties should primarily seek Federal funding as authorized by P. L. 90-351, Section 451; secondarily, they should seek State funding authorized by Sections 891 and 1860 of the W & I Code.*

22. *In the event commitments to State Institutions continue to decline, efforts should be made by the State to sell the facilities to other governmental entities, including the Federal government.*

23. *All savings realized from the closure of State facilities, or otherwise realized from a revamping of correctional services, should be sequestered for use in the field of corrections.*

24. *The State should seek from the Federal government funds, the amount of which cannot presently be accurately determined, but which will be necessary to augment the State's correctional budget during the first year of operation under the new correction subsidy program. In the event Federal funds are not forthcoming, consideration should be given to the possible use of the estimated $126,000,000 net savings which have accrued to the State since 1966, as a result of probation subsidy.*

Department of Correctional Services

25. *The State should consolidate the present Youth Authority and Department of Corrections into a single organization to be known as the Department of Correctional Services.*

26. *The Department of Correctional Services should consist of three basic components:*

    a. *The Division of Institutional and Parole Services*

    b. *The Division of Community Services*

    c. *A series of specialized staff service units*

27. *The Board of Corrections should be abolished and all of its responsibilities transferred to other appropriate organizations as follows:*

    a. *Responsibility for jail inspection transferred to the Department of Correctional Services.*

    b. *Responsibility for planning and coordination of the effort of the State of California in the criminal justice field transferred to the California Council on Criminal Justice and to the Secretary of Human Relations.*

    c. *The power to commission special studies transferred to the Secretary of Human Relations.*

    d. *The general advisory correctional function and legislative function transferred to the Department of Correctional Services in the form of a newly established Corrections Advisory Commission.*

28. *A Corrections Advisory Commission should be established to work directly with the Department of Correctional Services in shaping the direction and functioning of the Department relative to supplying supportive and enabling services for local corrections.*

    Membership on the Commission should include:

    a. *Representatives of community correctional programs.*

    b. *Community leaders.*

    c. *Experts in the field of crime and corrections.*

    d. *Business and professional leaders.*

    e. *Representatives of the judiciary.*

    f. *Representatives of law enforcement.*

Administrative Style

29. *Correctional agencies should adopt a progressive program management and participatory style of administration.*

Local and State Criminal Justice Commissions

30. *Legislation should be enacted establishing throughout California local Criminal Justice Commissions having the responsibility of coordinating*

correctional programs with those of law enforcement and other criminal justice bodies. All counties should be required to organize such Commissions, either individually or jointly with neighboring counties.

31. *Section 13800 of the Penal Code should be amended to mandate inclusion of a chief probation officer on the California Council on Criminal Justice.*

32. *To meet the need for coordination at the State level, the responsibilities and authority of the California Council on Criminal Justice should be expanded to provide for the needed coordination and planning at a statewide level.*

"Behold the turtle! He makes
progress only when he sticks
his neck out."

James Bryant Conant

CHAPTER I

INTRODUCTION

I. BACKGROUND FOR THE STUDY

California has the nation's largest population and also the largest criminal population. In rising to meet the "challenge of crime in a free society",[1] California has developed criminal justice and, particularly correctional systems which are ranked among the nation's best. However, the steady stream of incidents from a stunned Marin County Courthouse to a riot-torn East Los Angeles to a grave-filled Sutter County farmyard makes it painfully clear that California is far from having met the challenge. There is a never-ending need to re-evaluate the State's correctional programs to determine how they can more effectively achieve their overall goal.

Reflecting the concern of both public officials and private citizens, Governor Reagan, in his 1970 State of the State Message, announced the present study of California's correctional system by the State Board of Corrections. Noting that there had never been a detailed study of California's fragmented correctional system, the Governor requested the Board "to investigate, evaluate, and make recommendations concerning....jails, camps, juvenile institutions, prisons and systems of probation and parole".[2] In short, he requested the Board to investigate the entire spectrum of corrections, and to formulate "a unified and well-planned approach to increase the effectiveness of the entire system".[3]

The statistics of crime are staggering. Table I shows the State's consistent rise in crime, juvenile and adult, and the corresponding growth of the correctional system assigned the unenviable task of coping with this problem. A 51% increase in total arrests from 1960 to 1969, including a 113% climb in juvenile arrests, raises the ongoing question of how well is California, a "leader" in corrections, really doing in this field.

Similarly, Table II presents projections, based on the crime rates of 1960 to 1968, as to the future of criminal justice in Los Angeles County (which has approximately 43% of all felony crimes reported in the State). Actual statistics for 1960 and 1969, presented for comparative purposes, suggest that the projections for State facilities may be overestimated while the use of local programs may be underestimated. In any event, if arrests and the corresponding involvement of corrections continue at anywhere near these projected rates, the system and the taxpayer will be inundated. These statistics cannot help but make even the most mildly interested citizen stop and ponder -- "Where are criminal justice and corrections going?"

TABLE I

ARRESTS AND DISPOSITIONS IN CALIFORNIA: 1960 - 1969

	1960	1962	1964	1966	1968	1969	% Increase over 1960
ARRESTS[1]							
Total	856,869	891,987	975,168	1,047,056	1,170,057	1,294,168	51%
Adult	674,154	681,397	705,584	774,036	803,606	904,774	34%
Juvenile	182,715	210,590	269,584	303,020	366,451	389,394	113%
ADULT SUPERIOR COURT DISPOSITIONS[2]							
Probation-"straight" (without jail)	6,303	6,359	7.660	9,883	13,536	19,470	208%
Probation and Jail	4,684	5,050	5,688	6,871	11,524	13,718	192%
Jail	4,712	5,106	4,404	4,777	5,283	7,020	48%
CYA	1,665	1,837	1,539	1,831	2,056	2,197	31%
Department of Corrections	6,971	7,017	7,261	7,692	6,881	6,795	-3%
JUVENILE COURT DISPOSITIONS[3]							
Local supervision	19,444	22,782	24,842	26,247	30,535	35,451	82%
1st commitment to CYA	3,350	3,739	4,157	4,119	3,163	2,778	-18%
Local camps, ranches & homes[4]	---	---	2,391	2,380	2,563	2,605	---

[1]Bureau of Criminal Statistics, Crime and Delinquency in California: 1969 (Sacramento), p. 10.

[2]Ibid., p. 33; Bureau of Criminal Statistics, Crime and Delinquency in California: 1966, p. 37; Delinquency and Probation: 1960, p. 162, p. 166, 1964, p. 188.

[3]Bureau of Criminal Statistics, Crime and Delinquency in California: 1969, op. cit., p. 151.

[4]These figures represent the number of youth in county camps, ranches, and schools on the last calendar day of each year, not the total number committed throughout the year. Sources: Bureau of Criminal Statistics, Crime and Delinquency in California: 1967, p. 263; Juvenile Probation and Detention: 1969, p. 64. The Bureau of Criminal Statistics began accumulating this data in 1964 and did not include all counties until 1966.

TABLE II

LOS ANGELES COUNTY CRIME STATISTICS AND PROJECTIONS[1]

YEAR	ADULTS				JUVENILES		
	FELONY ARRESTS	STATE COMMITMENTS	COUNTY JAIL	PROBATION	ARRESTS	CYA	LOCAL SUPERVISION
1960	57,948	3,344	2,372	5,694	56,556	177	7,227
1969	98,634	3,620	4,268	16,745	116,100	100	12,008
1970	98,958	5,454	3,411	14,950	129,795	333	11,593
1980	189,564	10,448	6,535	28,639	238,314	612	21,286
1990	304,421	16,779	10,495	45,992	377,300	970	33,700
2000	424,018	23,373	14,618	64,061	528,395	1,359	47,196

[1]The 1960 and 1969 statistics are from the California Bureau of Criminal Statistics: Crime in California: 1960, p. 43; Delinquency and Probation in California: 1960, pp. 20,80,82,144; Crime and Delinquency in California: 1969, p. 59; Superior Court Prosecutions: 1969, p. 17; Juvenile Probation and Detention: 1969, p. 28.

The projections, from 1970 to 2000, are from "Planning for Criminal and Juvenile Justice", mimeographed paper, Robert Carter, A. W. McEachern, and Herbert Sigurdson, USC, School of Public Administration, 1970, pp. 5a and 10a.

Although there have been a number of excellent studies of specific parts of California's corrections system, the lack of any previous integrated study of the overall system, county and State, reflects the lack of coordination and integration between the various statewide correctional components. There has never been any attempt to tie together logically and efficiently all the strands of corrections into one cord of maximum strength. In 1940, the State Legislature, prompted by several potentially scandalous incidents, conducted a cursory investigation of the State's fief-like machinery for dealing with youthful offenders. Their probings, combined with the American Law Institute's 1940 "Youth Authority Plan", sparked the creation of the California Youth Authority. For the next twenty-five years, however, there was no major change in the structure of the correctional system or the interrelationships between its parts. In 1965, flowing partly from the Board of Correction's 1964 Probation Study,[5] the Probation Subsidy Law highlighted several new trends in corrections, viz., acknowledgement of the necessity of greater cooperation between State and local jurisdictions, the shifting of primary responsibility for delivery of correctional services to the local community, and the increased role of the State in supporting and subsidizing the local community in carrying out this role. Several more recent reports have emphasized these same trends.[6] The most recent of these reports[7] and the Governor's 1970 State of the State Message,[8] have strongly asserted that a "comprehensive analysis of the California correctional system" is critically needed to provide a statewide "blueprint for correctional organization and administration".[9]

Whatever the merits of previous studies and existing programs within corrections, they have left unresolved such problems as confused and contradictory philosophies, high rates of recidivism, increasing costs, limitations of knowledge in professional technology, fragmentation, inadequate coordination and continuity, an absence of evaluation, an undetermined quality of manpower, probable overcriminalization, and system inconsistency.

While all the above issues could not be resolved in this study, it was apparent that primary attention should be given not only to the organization and operation of individual components of the correctional system, but also to relationships between them as well as between the correctional system and the community as a whole.

II. STUDY OBJECTIVES

The three major objectives of the study are:

(1) To describe the current correctional system in California from adjudication or sentence to dismissal.

(2) To develop the most efficient and effective, yet reasonably attainable, model for this system.

(3) To prescribe and evaluate alternate routes from the current system to the model, including recommendations for legislative and organizational change.

Description of Current System

The first and most comprehensive charge of this study was to describe what the present California correctional system "looks like" in terms of its major components.

An early decision was made, by the Board of Corrections, to limit the scope of the study to the core of the correctional system, viz. that part which is directly concerned with "correcting" or rehabilitating those offenders who are formally placed in the system. Thus, the study focuses on the system from the point of sentence, in the case of adults, and adjudication, in the case of juveniles, through dismissal or discharge. The elimination of the intake or screening stage was immediately recognized by the study staff and professionals in the field as "blocking out" an extremely significant part of the overall picture. However, because of the tremendously broad scope of the project and the severe limitations of time (one year) and funds ($266,000), this decision was necessary. In an attempt to counteract this narrowing of the scope, study staff decided to provide the opportunity for limited expression of key problems related to intake and to address themselves to these issues from a "retrospective" point of view. Thus, not only was the authorization of a new study specifically of intake procedures a key recommendation, but observations and comments about some of the significant problems of the screening phase have been made, retrospectively, whenever appropriate.

Even with elimination of the intake process from the formal charge of the study, the magnitude of the project's scope posed initial problems of dividing the total correctional system into sections for specialized study and ongoing problems of coordination and integration. As of April, 1970, California's total correctional population consisted of some 274,000 offenders.[10] Broken down by traditional groupings, there were approximately 98,000 adult probationers, 95,000 juvenile wards and dependent children, 4,000 youths in county camps, 6,000 juveniles in Youth Authority or other State institutions, 15,000 county jail inmates, 28,000 prison inmates (including 2,000 narcotic users at the California Rehabilitation Center), 14,000 juvenile parolees, and 14,000 adult parolees. Direct responsibility for these individuals rests with at least 121 separate agenies which, in turn, operate nearly 150 correctional institutions in addition to a much greater number of community programs and facilities.

The very complexity and fragmentation of such a network of organizations and processes presented a myriad of problems in viewing it in any sort of orderly, integrated fashion. Additionally, the study staff was concerned with the fact that this compilation of agencies and functions, however they currently operate, should be viewed as a system (i.e. as interwoven threads or fibres of the same cord). It is crucial that corrections in California be viewed as a system, however vast and complex, with its parts so interrelated that the malfunctioning of any component part has disruptive reverberations throughout the whole system. In short, if one thread breaks, the whole cord is weakened. Thus if probation supervision fails, a burden is placed on the institutions. If the institutions fail, the burden falls on parole. If parole fails, the burden falls back upon institutions. With each broken thread, community protection decreases and community expense increases.

The initial problem of dividing the object of the study into sections was resolved by a decision to examine the correctional system chronologically as the process would normally be experienced by the "career" offender. Accordingly, the scope of the study was split into the following major components, each assigned to a specialized Task Force: probation supervision, juvenile camps and homes, county jails and camps, state prisons, and parole. To counteract the danger of viewing each component as an isolated whole, the total study staff met frequently to exchange observations and ideas about the interrelationships between the various parts of the system.

To aid further in coordinating the study and viewing the system as a whole, a separate Task Force was assigned the job of providing a systems analysis of the overall correctional process and its major components, and with analyzing existing and potential relationships between the components or subsystems.

In short, the approach taken by the study was to provide a statistical, dynamic, and comparative picture of each major component and of the overall system. To approach the various correctional agencies and subsystems in an orderly fashion and to assist in integrating the efforts of the six Task Forces, the following common issues or topics were used:

1. Goals and Philosophy (i.e. the purpose of an agency or subsystem and how, theoretically, it intends to accomplish these goals).

2. Functions (i.e. the manifest and latent ways it goes about achieving its goals).

3. Structure (i.e. how an agency or subsystem is "set up" to carry out its functions).

4. Resources (i.e. the specific tools it uses to carry out its functions).

5. Evaluation (i.e. how well it accomplishes its goals).

6. Issues of Future (i.e. projected trends or changes in correctional population, programs, facilities, philosophy, etc. and the corresponding problems for corrections).

Development of Model

In addition to these "common study topics", a set of guidelines was needed to formulate specific questions to be raised during the study, to provide a unified theoretical or philosophical base for the Task Forces, and to provide a foundation for the study's recommendations as to how corrections should operate and in what directions it should be headed. Hence, a series of guiding principles or cornerstones of a correctional systems model were developed as an initial step. Throughout the study, these principles were repeatedly evaluated by study staff and professionals from all areas of

corrections for the purpose of modifying or adding to them where appropriate. This was done not only for the overall system but also for each component. In fact, this task of "model building", which will be discussed in more detail in Chapter II, was seen as the primary goal of this study. A condensed statement of the final model, in terms of goals, principles, and strategies, is provided in Chapter III. The balance of this Report presents in detail the model proposed for California corrections in the 1970's. Chapter IV does this in broad, sweeping terms. The remaining chapters highlight, individually, the most critical elements of this model, viz. a new State-local partnership, a revised subsidy plan, a proposed State Department of Correctional Services, a suggested administrative style for correctional agencies, and the need for local and State Criminal Justice Commissions as coordinating bodies.

Recommendations For Change

The project's third goal was to link the first two goals together (i.e. to point out specifically how to move from the current system to the "model"). The key recommendations of this study are discussed not only in the Reports of each Task Force, but those relevant to the correctional system as a whole are reiterated in this summary document.

FOOTNOTES

[1]Report by the President's Commission on Law Enforcement and Administration of Justice (Washington: U.S. Government Printing Office, 1967).

[2]Governor's State of the State Message, January 6, 1970, State of California.

[3]Ibid.

[4]Bureau of Criminal Statistics, Crime and Delinquency in California: 1969, State of California (Sacramento, 1969), p. 54.

[5]Board of Corrections, State of California (Sacramento, 1965).

[6]Space-General Corporation, Prevention and Control of Crime and Delinquency (El Monte, July 1965); Youth and Adult Corrections Agency, The Organization State Correctional Services in the Control and Treatment of Crime and Delinquency, State of California (Sacramento, May 1967); California Council on Criminal Justice, 1970 California Comprehensive Plan for Criminal Justice (Sacramento, 1970).

[7]California Council on Criminal Justice, ibid.

[8]Governor's State of the State Message, op. cit.

[9]California Council on Criminal Justice, op. cit., p. 97.

[10]The following statistics were obtained from the California Bureau of Criminal Statistics, the California Youth Authority, and the California Department of Corrections.

CHAPTER II

OVERALL METHODOLOGY

I. GENERAL APPROACH

Early in the study, some major strategy decisions were made. First, the study staff assumed that a great deal was already known about the current correctional system. Every effort was made to determine exactly what was, in fact, known and to make sure that the study progressed from that point, rather than duplicating the same data. Second, in line with the above point, it was decided that primary emphasis should be given to the second goal of the project, viz. developing an attainable "model" of the correctional system and each of its major components. It was felt strongly that far more value would result if the study were to espouse goals or guiding principles for change rather than simply to describe the existing system. In short, it was decided that each component should not only determine "what is", but should concentrate on stimulating creative thinking among project staff, professionals in the field, and clientele as to what an ideal system should be like. Third, the overall approach to the study was through the use of "Task Forces" or "teams" of staff, each responsible for a specific part or component of the overall correctional system. In order to assure objectivity, no staff were assigned to evaluate parts of the system in which they had a vested interest. The two companion volumes to this one consist of the Reports of these individual Task Forces. Fourth, among the key elements or components of the correctional system, community supervision was viewed as being the most important. Therefore, significantly more manpower was assigned to the Probation and Parole Task Forces than to the other components.

Following partly from the above decisions, the study's overall strategy, which will be discussed in more detail later in this and other Task Force Reports, is summarized below:

1. The study staff had to determine what was already known about each component, as well as about the correctional system as a whole.

2. Closely related to the first step above, "brainstorming" sessions were held with selected experts from all five components of the study. Groups of professionals were called together in both Northern and Southern areas of the State for the purpose of identifying key issues and problems of the current system and of indicating how, in their judgement, the system might be changed. This was one of the very first steps taken, before any methodology was developed in detail, so as to both update the study staff on what corrections actually "looks like" and to allow the participants in this study to help guide the direction of the project. Major stress was placed on involving the agencies under focus throughout the project, including the "feeding back" of potential recommendations for their reaction.

3. After the above two steps were taken, each Task Force developed a summary of whatever significant information was available about its segment of the current correctional system with regard to (a) what it "looks like" now and, particularly, (b) what it should "look like" in an ideal system (model). This information, or lack of it, became the base for the rest of the study, including the attempts to gather new data. The various types of methodological tools or techniques used are discussed below and in the other Task Force Reports. The important point is that every effort was made not to replicate previous studies or to gather data that either was already known and accepted or would not lend itself to the primary task of the project, viz. "model-building". Questionnaires, interview schedules, etc. were geared directly at documenting key problem areas or needs and at determining and supporting the most desirable changes in the system.

4. "Model-building" or spelling out the foundation principles for an ideal, though realistic, system received primary emphasis. More detail as to how this "model-building" was accomplished is provided also in appropriate sections of the Task Force Reports. Here, it is sufficient to point out that a wide variety of techniques were employed to derive from every available significant source those ideas, principles, opinions, concepts, etc. that might improve the current correctional system and its component parts.

5. After detailed portraits of the present system were drawn and preliminary "models" formulated, these were "tested out" on selected individuals and groups throughout the State for their reaction and evaluation.

6. Finally, drawing from all the above resources and tools, the study staff, under guidance of the Board of Corrections and with suggestions offered by the Citizen Advisory Committee, developed its final report and recommendations.

II. SOURCES OF INFORMATION

Within the limitations of time and staff, every potentially significant source of information was explored. The principle sources of information and ideas included the literature on corrections, previous studies in corrections, agency statistics and reports, discussions with all levels of staff from each of the areas of corrections studied, clients (including some ex-offender groups) from the various components of the system, experts on criminal justice, and the Citizen Advisory Committee.

The most informative literature and reports available included: the 1964 Probation Study of the Board of Corrections[1], The Challenge of Crime in a Free Society[2], together with its individual Task Force Reports; the Final Report of the Joint Commission on Correctional Manpower and Training, A Time to Act,[3]

and its separate Task Force Reports; the 1969 Report of the Committee to Study Inspection of Local Detention Facilities,[4] and the 1970 Study of California County Jails[5] both by the Board of Corrections; the 1970 California Comprehensive Plan for Criminal Justice[6] and its individual Task Force Reports; and the 1970 report of the Human Relations Agency, Training for Tomorrow.[7]

It was the contention of the project staff from the beginning that those persons in the best position to describe the current correctional system, to pinpoint its problems, and to suggest the best means of improving it were the experts who actually made up the system -- the staff. Hence, major emphasis was placed on providing correctional personnel with every possible opportunity to contribute to all aspects of the study, particularly the description of the existing system and the "model-building". Within the sampling selections which are described below, the project's goal was to administer a questionnaire to staff involved in the supervision or control of adjudicated or sentenced offenders and to interview, individually or in groups, as many of these staff as possible. In contrast to most previous criminological studies, a unique aspect of this study is its commitment to include the views of the clients of every major part of the system, as well as ex-offender and private organizations serving them. Large numbers of clients were given the opportunity to express their opinions and reactions to the services received. This was done primarily through questionnaires, often with open-ended questions, and, more selectively, through interviews. Similarily, ex-offenders and other related groups were encouraged to share their concerns and ideas through questionnaires and direct conversation with project staff. Though the focus on offenders and ex-offenders was criticized by some as likely to be unproductive, the study staff felt strongly that the system's present and former clientele not only should have the opportunity to comment on the system in which they were placed, but also that they would be in one of the best positions to evaluate current services and to indicate how services might be improved.

In addition to staff and clientele in the sampled agencies and institutions, every effort was made, within the time and budgetary limitations of the study, to talk with key persons in other correctional agencies and institutions outside of the sample counties studied. Special effort was made to contact those persons considered to be instrumental in determining the future of corrections, and those who were believed to be creative and progressive with respect to making improvements in the system. Among these key individuals were persons from the broad criminal justice apparatus (judges, prosecution and defense attorneys, and law enforcement officials), persons from agencies in frequent contact with correctional agencies (such as school officials and voluntary agencies), educators with specialized knowledge in criminology and corrections, researchers, and various other individuals who were considered particularly knowledgeable about corrections. Additionally, numerous contacts were made, by personal interview and correspondence, with experts from the correctional systems of other states. The facilities and programs of a few selected states were personally visited and evaluated for possible contributions to the study's overall goal of building an ideal "model".

Finally, the various recommendations have been submitted to the Citizen Advisory Committee for reaction. This committee, though not policy-making in nature, offered valuable observations and reactions to the recommendations.

III. TOOLS

Methodological tools or techniques were devised to obtain information that was not already known or documented and to assist in developing the "model" for the correctional system. The primary research tools used were "brainstorming" sessions, questionnaires, and interview schedules for individuals or groups.

"Brainstorming" meetings (i.e. open-ended group discussions with a minimum of structure) were conducted with various groups of experts, as well as the project's own staff, on numerous occasions throughout the State. The primary purpose of these sessions was to stimulate free and creative thinking, principally of a "model-building" nature (i.e. geared toward the development of an ideal system). As the study progressed, these meetings became more directed as to their content, specifically as to the major issues or ideas staff was beginning to develop from their study. Most of these meetings involved experts from a given component of the study, such as probation or juvenile institution staff, and ranged in length from about two hours to three days. In addition to individual component sessions, however, there were two carefully selected groups of about twenty persons each who met for two days in an attempt to build a "model" for the entire system.

Because they could reach the most people in the shortest amount of time, questionnaires were the most common tool used in the study. Separate questionnaires were distributed to large numbers of staff and clients in each of the major correctional components (with the exception of prisons where only key administrators received them). The types of questions fell into three groups: (1) descriptive variables characteristic of the respondent (such as age, race, and sex), (2) a large number of items that probed for possible problem areas or needs in the current system (such as communication, specific ways staff help clients, and decision-making), and (3) a series of items directly related to "model-building" (such as what should be the primary purpose of corrections, what should be the minimum qualifications for their job, etc.). In addition, specialized questionnaires were distributed to specific groups, such as public or private agencies working within the correctional spectrum. Whenever possible, instruments were pre-tested, primarily for clarity and procedural problems. The returned questionnaires were key punched and verified; the data were then edited and processed through a computer to produce the desired information.

Specialized interview schedules were also prepared for each major type of person to be interviewed, including different types of staff and clients, key county and State officials, and members of the Board of Corrections. A capsulized version of the interview schedules was generally distributed to

the interviewees in advance so as to give them an opportunity to organize their thinking on the principle issues. In order to involve as many persons as possible, most of these interviews were held in groups or panels, though an attempt was made to interview department heads and other key persons individually whenever time allowed. While it can be argued that individual interviews allow greater freedom of expression, previous study experience suggested that panels, properly conducted, have certain unique advantages such as cross-checking and stimulation of ideas, group consensus, and a tendency for a fuller discussion of alternative views on a subject. Generally, two persons were present for panel interviews - one as the primary leader and the other as an observer and recorder. Both interviewers would subsequently share their observations. As with the "brainstorming" sessions, these panel interviews were directed primarily toward "model-building".

IV. SAMPLING

The size and complexity of the California correctional system and the time and budgetary limitations on the study necessitated sampling on two levels.

First, after deciding to divide the total subject of study into five components (in addition to an overall "systems" component), each of them had to be reduced to a manageable focus of study. With regard to the network of county correctional agencies and institutions, it was decided to concentrate on the same 15 counties that were selected in the 1964 Board of Corrections' study on probation.[8] This selection was re-evaluated and seemed to be representative of the important variables or determinants, such as geography, population (total and offender), agency composition and philosophy, etc. The correctional population of these 15 counties comprises approximately 63% of that of the entire State.[9] Additionally, selection of these same counties offered the further advantage, at least to the probation component, of being able to compare current data with that of 1964. Thus, the Probation, Jail, and Juvenile Institution (county portion) Task Forces all focused on the following counties:

North Coast Area:	Del Norte and Humboldt
Sacramento Valley:	Sacramento[10], Sutter, and Tehama
San Joaquin Valley:	Fresno, San Joaquin, and Tulare
San Francisco Bay Area:	Alameda, San Francisco, and Santa Clara
Southern California:	Imperial, Los Angeles, San Bernardino, and Santa Barbara

Because of its massive population, Los Angeles County was sub-sampled in all three of the above components by selecting between 20% to 25% of its institutions and probation area offices.

With regard to the State system, an effort was made to include all of the major juvenile and adult institutions and as much of the parole system as possible (giving priority to the parole offices within the above 15 counties).

After determining the agencies and institutions to be included in the sample, the second phase of sampling involved selection of the individuals within each. On the county level, all staff in the above 15 counties who were involved in the broad scope of supervising and/or controlling sentenced or adjudicated offenders received questionnaires. On the State level, as many staff as possible within the selected institutions and area offices were given questionnaires. In the prisons and Youth Authority institutions, sampling, whether by questionnaire or by group interviews, generally consisted of day shift personnel. In all, nearly 5,000 staff questionnaires were distributed.

Clientele were sampled on a proportional basis. Wherever possible, a minimum standard of 5% of the clients of a specific institution or agency was adhered to. As might be expected, the sampling of probationers and parolees presented problems because of inherent difficulties in contacting them and eliciting their cooperation. In many cases, institutional sampling of clients was far higher than 5% -- ranging to nearly 100% in some small institutions. Where important, an effort was also made to stratify sampling. For example, in the probation component, questionnaires were distributed to 5% of the adult non-subsidy clients, 10% of the adult subsidy clients, 5% of the juvenile non-subsidy clients, and 10% of the juvenile subsidy clients in each of the 15 counties. This was done in an effort to assure sufficient representation among the key types of persons to be sampled. To eliminate possible biases, clients were selected randomly or systematically (e.g. every twentieth person) as far as possible. Altogether, over 8,000 clients were given questionnaires.

Selection of staff and clients for interviews was, of course, on a much smaller scale. Every effort was made to randomize and, where appropriate, to stratify these selections. In some instances, however, it was considered more important to interview those persons who, by virtue of their position or expertise, could contribute most to the goals of the study rather than a completely random group of individuals. However, staff and clients from all of the major correctional units under study had the opportunity for "input" into the study, at least through a representative sample.

V. SUMMARY

Using a "Task Force" approach to divide the study into manageable units, the overall stress of this project was clearly on "model-building" (i.e. developing a series of building blocks or guiding principles as to what the correctional system should "look like" and how it should function). Description of the current system was carried out primarily in order to indicate and document the most critical problem areas and needs for change. In an all-out search

for the best programs and ideas, the staff employed as its main resources existing literature, questionnaires, interviews, and other types of group "model-building" sessions. Both to assist in achieving the specific goals of this project and to increase the acceptability for eventual change, maximum use was made of agency staff, clientele from every part of the system, and outside specialists such as the Citizen Advisory Committee. Throughout the study, every effort was made not only to elicit ideas and suggestions, but also to provide "feedback", in order to obtain ongoing reaction and assistance from as widespread a spectrum of sources as possible. Finally, the dangers of breaking the study into separate Task Forces was recognized from the start. To help avoid the pitfall of perpetuating an already fragmented "system", a separate System Task Force was created with the major responsibility of integrating the entire correctional apparatus throughout the State. Additionally, a continual effort was made by the total staff to share overlapping concerns and issues throughout the study.

FOOTNOTES

[1]Board of Corrections, State of California (Sacramento, 1965).

[2]President's Commission on Law Enforcement and Administration of Justice (Washington: U.S. Government Printing Office, February, 1967).

[3](Washington: U.S. Government Printing Office, 1970).

[4]Board of Corrections, State of California (Sacramento, December, 1969).

[5]Board of Corrections, State of California (Sacramento, April, 1970).

[6]California Council on Criminal Justice (Sacramento, 1970).

[7]Department of Youth Authority, State of California (Sacramento, July, 1970).

[8]1964 Probation Study, op. cit.

[9]Based on the number of adults convicted and referred to adult probation by Superior Courts (Bureau of Criminal Statistics, Adult Probation: 1969, State of California, Sacramento, 1970, p. 12); and the number of juveniles declared wards or placed on probation (Bureau of Criminal Statistics, Juvenile Probation and Detention: 1969, State of California, Sacramento, 1970, pp. 28-29.).

[10]Sacramento County was replaced by Ventura County in the Jail Component due to local problems which precluded a detailed study of the Sacramento County Jail.

CHAPTER III

THE CORRECTIONAL SYSTEM: A MODEL

The study of the California correctional system is an attempt to "make sense" and understand the operation of correctional processes within the State in order to bring about a greater degree of orderliness and coherence within the presently fragmented "non-system". The development of this "non-system" within California corrections is a result of resurgent growth, entangled jurisdictions, conflicting goals, and too little articulation and coordination.

The articulation of a model for the California correctional process is essentially a discussion of the goals and principles which have been established by the study itself. The intention is to set forth a statement of goal which has system commonality and principles for achievement of that goal, along with some statement of strategies to be employed in the actual conduct of affairs.

I. GOALS

In order to construct a system or, in the present case, to reconstruct a "non-system" into a system, it is essential to postulate a common goal or goals for each of the constituent components. Component segments, units, or agencies cannot function systemically unless there is a capability of arranging the component parts and their functions within a relational order with a general sense of mission or goal. This allows for the construction of sub-goals or special statements of mission for each of the component agencies or sections within the general rubric of common goal.

Derived from the analysis of this study, the primary goal for the entire system of corrections should be the protection of society, i.e. minimizing the probability of new illegal conduct. In establishing a primary goal with a broad base, it was necessary to establish a series of secondary goals to lend definition and understanding to the study's primary intent. The secondary goals include deterrence (prevention), incapacitation, rehabilitation, and reintegration, These secondary goals are compatible with the goal of protecting society.

II. PRINCIPLES

The goal of any system, while important, must be more accurately defined in application. The development of a secondary goal structure has made the primary goal statement for the correctional system more understandable. However, to fully understand the characteristic qualities of this system, it is important to state the principles which are to govern its very existence. The following principles are applicable to all of corrections, whether at the institution or field service level.

Responsibility

It is the State which has primary responsibility for insuring the existence and operation of a system of criminal justice which deals with the phenomenon of law violation and law violators. Further, it is the State which has the concomitant responsibility for insuring the existence and operation of a correctional system which will work with the defined law violators to achieve the goal of the State.

Thus, the State has the overall responsibility for the existence and quality of correctional services; accordingly, the State has the "enabling" responsibility to assure that effective correctional services are delivered. However, it is the local communities (normally counties) which have the primary responsibility for the actual delivery and maintenance of correctional services.

Community-Based Programs

Corrections should be as local as possible. The probability of success is increased as the program or treatment comes closer to the local level or "real-life" situation. Service can, in the great majority of cases, be most effectively implemented by supervision in the community, preferably in the offender's home. If local programs are to be successful, they must have: (a) an effective, qualified staff with ongoing training dealing with new programs and effective supervision; (b) a classification of clients for service; (c) a full range of services including individual, family and group counseling kinds of services; (d) the ability to manipulate the environment, that is, to maximize alternative modes of conduct and environmental support for the clients; (e) adequate public and financial support (note: to develop an effective local correctional program, the State as the agent with primary responsibility for the existence and quality of corrections, must insure the financial base of the programs through a program of subsidy; subsidy should not only be based upon savings for the State and Federal governments, but should also be employed to strengthen the needed resources and to encourage new and experimental programs).

Enabling Services

The State should provide assistance in the following service areas and its participation should be on an enabling or partnership basis. These services include: (a) subvention programs; (b) inspection; (c) public education; (d) research and information; (e) planning; (f) training; (g) standard setting and enforcement; (h) consultation; (i) assistance in administrative personnel and fiscal resources; (j) increased information capacities (EDP); (k) prevention programming; (l) coordinative legislative programming; (m) finally, the State should demonstrate excellence in service and operate a limited number of creative institutions which would make it possible for the local community to meet the needs of most of its clients at the community level, and yet have access to State institutional facilities for the limited number of clients requiring those services. Such arrangements would be made through the new Department of Correctional Services.

Reintegration

The correctional system should consider and use all appropriate strategies, but should make a clear overall commitment to a reintegration model, that is, helping the offender to make a successful adjustment back into the community, and at the same time encouraging the community to create new services, programs, and opportunities to facilitate reintegration. Meaningful rites de passage back into the community, signifying rehabilitation and atonement for one's misconduct, should be as effective as the labeling or stigmatizing process of criminal justice. Reintegration of the offender in the community is of paramount importance, if corrections is to be successful.

Community Responsibilities (Institutions)

Correctional institutions should develop into therapeutic or service communities. Offenders should be institutionalized whether at the State or local level, only when and for as long as necessary for the protection of themselves and the public.

Coordination

The correctional system is so interrelated that malfunctioning in any part has disruptive reverberations throughout the whole system. For maximum effectiveness, there must be cooperation and coordination between all parts of the correctional system so as to provide a continuum of treatment. The correctional system must also work hand-in-hand with the rest of the criminal justice system and with other public and private agencies who are involved with its clientele.

Visibility

The functions of corrections must be open to public view not only to permit review, but also to engender public understanding and support. Corrections is not a process unto itself, and the public must be better informed if it is to make more rational decisions regarding future courses of action corrections will take.

Differentiation

Treatment of offenders should be individualized. The program of experience for each offender should be predictively calculated to achieve the goal of minimizing new law violative behavior on the part of the individual. Specifically, this may involve types of programs which offer a variety of forms or particular strategies. The essential feature is that there is a deliberate effort to differentiate regimes of service calculated to achieve the objective of the system.

Range of Services

Every correctional subsystem charged with making dispositional decisions should have available to it a full range of services necessary to effectively reach its primary goal, including a study or diagnostic capability, helping services, a wide variety of alternatives to institutionalization, and other types of services as needed. Any offender in any part of the correctional system should be provided with the best services available.

Public Involvement

Corrections cannot solve the problems of crime by itself. It needs public and community involvement on at least four levels: (a) credibility, i.e., through an ongoing program of public education and public relations corrections must obtain the community's trust; (b) support, e.g., financial assistance, volunteers, and other direct aid; (c) advisory, i.e., at least an indirect share in policy and decision-making; (d) "auditing", i.e. the public is one of those groups to which corrections must be accountable.

Change Orientation

The correctional system should not only encourage flexibility and creativity, but should also make innovation its very lifeline. Any correctional program/institution must be programmed to "self-destruct" partly or completely if it does not effectively contribute to the primary goal of corrections.

Accountability

Every correctional unit/program should spell out: (a) its goals; (b) the program and management techniques for the achievement of these goals; and (c) the tools necessary to assure the appropriate measurement of results. Research and evaluation must be a part of every program. Provided they are given the necessary resources, correctional units/programs should then live or die by their results. This is the "contract" of accountability. Corrections should be accountable not only to itself, but also to the public and to its clientele.

Burden of Proof

In spite of efforts to the contrary, the correctional system stigmatizes in varying degrees and sometimes pressures a person toward "secondary deviance". Hence, an ongoing burden of proof should rest not on the client but on the system to demonstrate the need for taking a person into the system, retaining him, or in any way restricting his freedom. Put another way, the system should always choose the least restrictive alternative for the client. There must be a regular re-evaluation (not less than once a year) of the need to keep any person in the correctional system and in the particular program/institution he is in.

Financial Support

While money is obviously not a panacea, adequate funding is essential for the development of an effective correctional program, especially for those parts of the system that have primary responsibility for the delivery of service.

III. STRATEGIES

A discussion of a new or renewed goal and the series of principles presented here would be seriously deficient if there were no comment on common strategies available to the system. These are not only strategies, but a base for a common language essential to correctional systems development. These four contemporary strategies available to corrections include:

1. Political-Legal-Administrative

Modifications in laws or procedures to reflect changing attitudes toward behavior previously unacceptable but now coming to be regarded as normal, acceptable, not socially harmful; avoids unnecessary processing of individuals by the justice system, or encourages early termination at specific decision points in the process;

2. Technological

Utilization of technology to control, change or modify the nature and extent of illegal or unacceptable behavior;

3. Sociological-Institutional

Changing, shoring up, modifying and improving the community and its institutions, particularly those that have become dysfunctional or are known to contribute to behavior that may become criminal or delinquent;

4. Individual Intervention

Personal treatment services to those who become involved in crime and delinquency because of some internal, as opposed to an external, personal pressure or problem.[1]

The strategies stated above are an attempt to develop a base of commonality. They are strategies which can be used singularly and interchangeably in the solution to the goal of protecting society. They are strategies which move corrections away from a singular approach to seeking multiple answers to the complex problem of corrections to 1980 and beyond.

FOOTNOTES

[1]Robert L. Smith, "A Practical and Theoretical Approach for Planning Youth Authority Programs to Reduce and Control Crime and Delinquency", Department of Youth Authority, State of California (Sacramento, 1970), p. 8. (Mimeographed.)

CHAPTER IV

THE CORRECTIONAL SYSTEM: AN ANALYSIS AND PROPOSAL

The purpose of this chapter is twofold. First, it will present a general characterization of the current state of corrections as a system. It is not intended to present a summary of the information and findings presented in the separate Task Force Reports dealing with the various segments or components of corrections in the State of California today. Rather it is intended that generalized descriptions of the correctional effort be developed without special or particular reference or emphasis to any particular component, agency, or program. The concern is with corrections as a whole.

However, the data upon which the following description and discussion is based may be found in the various Task Force Reports relating to the broad functional areas of corrections. Furthermore, the empirical literature drawn upon by these Reports is used as the basis for drawing the generalizations here presented.

It should be understood that the descriptions which follow apply in different degrees to the various component segments of corrections, e.g. more characteristic of jails than of after-care services. The variance in applicability will be even greater when applied to specific agencies or specific programs, e.g., more characteristic of San Francisco juvenile probation and less characteristic of the narcotics program in the California Department of Corrections.

The second major objective of this chapter is to develop proposals or recommendations for change. Again, no attempt will be made to reiterate all the specific recommendations mentioned in the individual Task Force Reports. Rather, the intent and major effort will be to formulate recommendations and proposals for action that appear to have the greatest potential for system-wide change, i.e. that appear to offer the greatest impact on California corrections as a whole. While most recommendations contained in this chapter are specifically related to the analytical categories which have been used to treat corrections as a system, some of the most important recommendations follow discussion of those topics deemed so important that they are dealt with in separate chapters. These special issues include: a new State-local partnership (Chapter VII), State and local Criminal Justice Commissions (Chapter VIII), and the administrative style necessary to an effective correctional organization (Chapter IX). The summary at the end of this chapter presents a broad statement of outline of what future California corrections should look like in organizational terms, operational style, programmatic character, and general objective.

I. CORRECTIONS AS A SYSTEM

As a total system, what is the state of affairs in California corrections today? California, beyond any other state in the United States and very likely beyond any other nation in the world, has, for the last two decades, received more attention, been more frequently referred to, more copied, and

more highly envied than any other correctional organization.

Possibly the most striking feature of the California correctional system is that it is not a system. It is a "non-system". The system is composed of 121 separately operating agencies and organizations having a functional relationship one to the other, but taken separately, or as broad categories, lacking the characteristics of a system. Although all of the agencies or organizations maintain a working relationship with each other, they have not been ordered within a common rubric of intent or control. Most frequently the sense of purpose, the philosophy of operation, the style of action, the programs offered, and the operational decisions made by each correctional agency tend to develop in isolation from, and without coordination with, the other segments of corrections.

The absence of a "system framework" is one of the fundamental weaknesses of California corrections today. Inevitably it means that corrections is less effective and less efficient than it should be, and reflects the continuing problems of relationship between State and local government, as well as between institutions and field service programs. It also reflects the differences in sense of goal and purpose, operational philosophy, use of knowledge at hand, and public concern and support. It is, in the end, a reflection of the weaknesses and too few of the strengths of what can, and should be, the outstanding system of corrections in American society.

The magnitude of crime dictates that the State can no longer afford the luxury of corrections being a non-system. In the last analysis, it is the State which stands responsible for defining crime, adjudicating individuals as offenders, and delivering a correctional program for those who are adjudicated. It is clear that the State of California has a responsibility to address itself to this basic condition of corrections.

II. GOALS

It follows from the comments made above that one would not expect to find a uniform sense of goals where one finds that a system is, in fact, a "non-system". A review of the Task Force Reports graphically describes the fact that there is no agreement as to the general goal of corrections, and little agreement as to the goals of the specific components of the correctional system. There is no dearth of documentation in this regard. Frequent references are to be found to such terms as rehabilitation, incapacitation, retribution, treatment, punishment, vengeance, revenge, prevention, and even reintegrating the offender into society. The lexicon of corrections is rich with suggestions, and consequently offers to any agency or individual a rich opportunity for choice. Unfortunately, the richness of choice creates a situation in which the work and intent of one goal too frequently defeats the work and intent of another.

Too few correctional organizations have given explicit attention to this fundamental question. What is the mission and purpose of this organi-

zation and how does it fit in with the general mission of corrections? The Department of Corrections, the Department of Youth Authority, and a few probation departments appear to be the only agencies which have made any effort to give systematic attention to this matter and to commit an expository statement to writing.

There is an immediate need for the systematic examination of the question of goals for a system of corrections in the State of California. A clearer sense of goal is an essential condition for the construction of a coordinated and effective system of corrections.

It is the position of the System Task Force that the goal of corrections and all of the component parts thereof is the protection of society through actions calculated to minimize the probability of future illegal conduct by present offenders.

III. INTAKE

The definition of the parameters for this study specifically indicated that the study was to begin at the point where individuals had been adjudicated criminal offenders or juvenile delinquents, and was not to concern itself immediately with those portions of the entire system of criminal justice which are involved in the first stage of the correctional process - intake. However, in each of the Task Force Reports is found evidence of the continuing inability to respect this parameter. Inevitably, an analysis of the particular component under consideration led the investigators to a concern for and a report regarding the implications of the intake process for a proper understanding of the problems under review in the Task Force Report. Similarly, in all of the consultative sessions with specialists in corrections, it was found that these specialists felt it was absolutely essential to begin their commentary with observations regarding the consequences of contemporary intake processes.

Therefore, although falling outside of the specific parameters of this study, a brief discussion of intake is essential. It is the intake process which accounts for the definition of the subjects of correctional responsibility. It is through the intake process that individuals become defined as criminal law violators and remanded to the responsibility of the correctional system for handling.

A cursory examination of the present intake process, as it operates in this State, reveals that the process defines and brings forward to corrections a curious mixture of persons. On the one hand, the intake process defines and labels a group of individuals as criminals who have engaged in behavior which violates criminal law according to the classic definition. That is, the behavior is held to have resulted in social harms. On the other hand, it also defines a large category of individuals who have engaged in behavior which again has been found to be in violation of criminal law, but in this

case the behavior does not result in social harm; rather it is offensive to the sensibilities of the social order and possibly detrimental to the welfare of the person. Such behavior involves a wide variety of conduct ranging from behavior which is referred to as "delinquent tendencies" to common drunkenness. In general, such diverse forms of social conduct appear to have in common certain characteristics that are perceived as social problems which society feels must be handled in some way. The vehicle of response currently employed in dealing with these social problems is the use of criminal law, and consequently the use of corrections.

As a result of this situation, intake provides corrections with a potpourri of behavior problems. In addition to criminal behavior, corrections becomes a "dumping ground" for those forms of problem behavior which are not handled elsewhere at the present time. At best, corrections is ill-equipped to respond positively to the demands that are placed upon it in respect to criminal offenders. It is even less well-equipped to respond effectively to the additional forms of problem behavior. It is highly questionable that a correctional system can ever be designed with a coherent philosophy and set of operational techniques which can respond effectively to both groups of clients. All of the available evidence indicates that a correctional response is, without doubt, a costly response. That is, it appears on the surface that alternative program operations would at the least offer the exciting advantage of being more economical.[1]

Additional problems of considerable importance develop during the intake phase of the correctional process. The practices of arrest, booking, bail, holding, the use of citations, release on own recognizance, and similar aspects all have profound consequences for corrections. The expectations, program, and operational problems of juvenile halls and jails are obviously affected by these practices. Equally affected are the operations of probation and subsequently all of the correctional components.

In this regard, the important factor to note is that there is little coordination and understanding among those who participate and are affected. At its worst, there is no coordination or understanding among these agencies and operators of the correctional process. As a consequence, there exists a continuing tug and haul, thrust and parry, characteristic of the intake process's interfacings with the remaining portion of corrections. Needless to say, the offender becomes the first victim. Finally, it is the public who is victimized by the loss of effectiveness and the inevitable loss of efficiency.

Recommendation

1. The State of California should immediately undertake a study of the intake process in the entire correctional system. Included in such a study should be the intake process involving both adults and juveniles, the use of citations, bail and O.R. (i.e. release of persons on their own recognizance), housing of unsentenced offenders, and the need for diverting certain

categories of behavior out of the correctional system into some other more appropriate system.

The recommendation made above does not, of course, necessarily address or provide a solution to one aspect of the problem previously identified. This is the lack of coordination among the component parts of the criminal justice system. It is self-evident that the actions and responsibilities of the police, the courts, the probation department, the jails, the juvenile halls, the juvenile institutions and camps, and the other agencies not mentioned are inextricably and necessarily related one to the other. The policy and actions of the police have dramatic consequences for the courts and the defense and prosecuting systems. In turn, the policies of the courts have important consequences for the jails. Whether it is operatively recognized or not, all of the components of criminal justice live in a precarious, uneasy relationship with one another. Too little coordination, or an absence of coordination, among these components of criminal justice brings a toll of heavy costs and low effectiveness.

The case for coordination need not be argued extensively. None of this study's evaluations have indicated that there is a tolerable level of coordination extant today at any level. The need is clearly there and it must be met.

Chapter IX, which deals with "Local and State Criminal Justice Commissions", makes specific recommendations relevant to the coordination of corrections and criminal justice at both the local and State levels.

IV. CLASSIFICATION

Corrections has understood for many decades that classification is an essential function to be performed if any organization or the corrections system as a whole is in fact to be correctional. The function of classification is diagnosis and prescription. The essential problem is to develop an understanding of the individual as he has behaved and is likely to behave within the free community. The study of his past pattern of conduct and lifestyle and the factors which affect or account for these acts and lifestyles comprise essentially the diagnostic function. A fairly rich literature exists which describes alternative theoretical approaches and alternative methodologies for accomplishing this task. Once the diagnostic function has been carried out, the remaining task of classification is to make predictive and prescriptive statements which attempt to fit programs of treatment or strategies for effecting the probability of future illegal conduct on the part of that person. Both of these elements of classification, viz. diagnosis or study and program planning, must be part of an ongoing evaluative process. In brief, classification is a continual, progressive function, not a static one.

As indicated above, corrections has long understood that it is essential to have a classification capability at each and every point from initial intake

through the entire continuum of corrections. If such a capability does not exist, corrections cannot be a rational system designed to reduce the probability of future illegal conduct. Instead, it would at best be a system for holding and moving offenders for an unspecified period of time.

The separate Task Force Reports, especially the Report dealing with Juvenile Institutions, describe the existing classification capability in California corrections. These Reports indicate that some components and agencies already have fairly good capability and are delivering valuable classification materials. Many components have a very modest classification capability which provide limited information. For example, many institutions classify their clients only on the basis of custodial requirements. Such reports do not indicate what needs to be or can be done to insure the minimum probability of a new offense. Some components have, for all practical purposes, no classification capability whatsoever. The Task Force Reports further indicate that too frequently, even where classification exists and provides what appears to be useful information, this information is not transmitted and used in the actual program operation of the component.[2]

When classification does not exist, is too limited, or not used, the ability to carry out a correctional effort is at the outset improbable if not impossible. A minimum level of classification is essential if we are to say that every offender is to be provided an equitable opportunity to receive correctional service.

It is essential that a uniform and minimal capability exists in every component of corrections and throughout that component. It is essential that this capability use sophisticated tools of diagnosis in its operation. At the present time, too few components use any of the variety of sophisticated diagnostic tools which are available, e.g., I-Level, typologies, behavior modification, transactional analysis, etc.

Recommendation

2. The new Department of Correctional Services later recommended in this Report should be given the responsibility to carry out a systematic evaluation of the classification programs offered within each component of corrections. Further, the new Department of Correctional Services should be given the responsibility to develop statements of minimal standards regarding the needed classification capability in all agencies of each correctional component.

V. PROGRAMS AND TREATMENT

California has long been seen as a State noted for its willingness to pioneer in the development of and experimentation with new programs for the treatment of offenders. In many ways, this reputation is well-deserved. The Task Force Reports, however, indicate that much about this reputation camouflages

the reality. These Reports indicate that in spite of this reputation, when corrections is examined as a whole, the overwhelming impression is that of programs which are very conventional for a correctional system. The Task Force Reports provide a picture of correctional programs in which far too much of what occurs involves merely the managing, movement, and shuffling of offenders into, around, and then out of the system.

Dividing the current programs of corrections into the conventional categories of institutional and field programs, these Reports indicate the following observations generally apply. Characteristic of institutional programs is that they are very limited and very conventional. Too little in the way of alternatives exists in the vast majority of institutions, and in a great many there is little which can properly be labeled as treatment programs. Probably the most important finding of the institutions Task Force Reports is that offenders are confined for considerably longer periods of time than program capability or effect warrants. The Juvenile Institution Task Force Report presents evidence in Chapter IV which indicates that there is apparently little value in holding a youth in custody for a period longer than six months. The Prison Task Force Report points out that almost all treatment effect can be accomplished in the institution in a period no longer than 24 months and that continued confinement beyond these time limits leads to disguised idleness and deterioration on the part of the inmate. The Jail Task Force Report indicates that there is so little program available in institutions that confinement in institutions for the purpose of treatment is in most instances a hoax. Further, all of these Reports agree that the connection between institutional programs and later field programs (i.e. parole) are fragile at best and non-existent most of the time.

No doubt it will be necessary to continue to confine a certain number of individuals in institutions. However, it is clearly the responsibility of society to insure that confinement in an institution means more than simple incapacitation or holding of the person, that confinement of the individual is meaningful for the inmate, and that confinement contributes to the minimizing of future illegal conduct. This means that all institutions, and most particularly county jails, must have an adequate program capability to meet the service and treatment problems posed by the offender population there confined. As the Prison Task Force Report points out, it is necessary in each institution to establish a "climate for learning".

Finally, the literature on jails and correctional institutions and, more especially, the Task Force Reports dealing with these institutions, confirm that the single most important problem is that institutions qua institutions tend to be very unreal places in which people live, work, and change. Institutions tend to have too little which replicates the demands and responsibilities of ordinary life-situations in the free community. Institutions are too dissimilar from real-life situations. If corrections recognizes that it is ultimately responsible for the return of the offender to free society and that, in turn, it has the responsibility to do everything to minimize the probability of future illegal conduct, the atmosphere of an institution must approximate the atmosphere of the outside "real" world. Further, the transition

from the institution into that outside world must be planned in such a way that it is helpful to the purposes of corrections and helpful to the individual involved, not merely one more instance of shuffling a body from one point to another.

Turning to those programs of corrections which are conventionally referred to as field programs, the separate Task Force Reports provide evidence of one singularly important characteristic. When looked at as a whole, these Reports indicate that the modal characteristic of field programs is that they are "paper programs". That is, most of what is done in many of the programs is to deal with and move paper, interspersed with brief moments of contact with individual offenders. It is recognized that available evidence suggests that, for a significant number of offenders, it would appear that such "paper programs" and those things which are incident thereto are sufficient. For these offenders, no greater program capability appears to be needed to insure the minimization of future crime. However, the evidence further suggests that, for many offenders, such paper programs are inadequate for the task to be performed. Too little differentiation or classification of offenders is done. There is too little differentiation in the type of programs planned and offered which might meet the problems to be confronted. A notable exception to these remarks is reported in the Probation Task Force Report. The subsidized program in probation developed by the State clearly is an important development in the modification of the general malaise. This exception is to be commended and the System Task Force urges that the subsidy concept be further extended and supported.

However, even with further extension and elaboration of the current subsidized probation program, a sizeable portion of the field services will remain untouched. The Probation Task Force Report and the Parole Task Force Report provide graphic evidence in this regard. There is great need to plan new programs and variants to existing programs which will meet the differential needs of the offender population. Significant gaps in program development for particular types of offenders are noticeably apparent. Programs for girls and women, violent offenders, the mentally disturbed, to name but a few, are detailed as needs in these two Reports. Attention must be given to these areas of need if corrections is to claim that it is making a real effort to provide correctional service.

Another striking feature of field programs is that they tend to be almost exclusively confined to one general strategy for minimizing future illegal conduct. This strategy was described in Chapter III as "individual intervention". That is, the strategy utilized is to provide casework-oriented treatment services aimed at the individual offender, to motivate and hopefully correct something characteristic of the behavior pattern of that person. Only rarely are other strategies employed. A few programs appear to be utilizing what was earlier referred to as "sociological-institutional strategies". A few "community-treatment" programs exist in which an effort is made to support, modify, and motivate individual patterns of conduct through strategies aimed at changing, modifying, improving and supporting collective, organizational, and/or institutional entities. Little if any attention is given to the other strategies outlined in Chapter III, i.e. "political-legal-administrative" and "technological".

Finally, it is clear that there exists a richer program resource in the community than is currently being employed. Even where these resources are recognized as existing, too little use is made of them. Probably the most significant reason for this under-utilization is the lack of organizational encouragement or organizational capability for such utilization. Each field service component should assess the extent to which additional and much needed program capability could be obtained without the further development and expansion of the agency itself, but through contracting with existing agencies, groups and persons. Contracting of program services has several immediate advantages to recommend it. First, the costs of program planning are reduced, particularly as related to the specifics of the program plan. Second, the need for the development and training of staff capability to carry out the program is reduced, if not eliminated. Finally, the need for extension of facilities and other support capability would be reduced. Thus, in general, it appears that such contracting offers the opportunity to expand and extend program services in a most economical way.

The various Task Force Reports empirically confirm the view held by specialists in the field that the greatest need at the present moment in corrections is to develop programs which emphasize the reintegration of the offender into the community, the maintenance of the offender in the community, and the correctional capability for environmental manipulation, in addition to the conventional "individual intervention" programs. This needed new emphasis throughout corrections will place greater stress on the ability of professional correctional workers to organize, manage and deliver program rather than being the "treaters". Correctional workers, or at least some of them, must develop the ability to view the community as their treatment resource, to design ways of utilizing the program potential of the community in achieving the goal of the system, to maximize the collective motivation for legal conduct, to minimize the opportunities for engaging in illegal acts, and to bring equitable treatment with justice to all those touched by the criminal justice system.

The single most important conclusion of this study is that programs best calculated to meet the objective of correction are those which are offered and carried out in the community. It was in the community that the behavioral act occurred which brought the individual into the criminal justice system. It is in the community where behavior will or will not recur, and may constitute the basis for finding the existence of a new offense. (In this regard, the System Task Force believes that violation of the norms of a correctional organization should not be the real interest of corrections. Far too much attention is given to the violations of institutional rules, probation and parole regulations, and normative expectations of the correctional worker. Although correctional norms are important within a limited context, they do not constitute the real measure of the correctional objective. Much greater attention and emphasis than necessary continues to be given to the violation of such norms - by correctional workers themselves and by those who would judge correctional effectiveness utilizing measures which reflect these considerations.) The Reports of this study confirm the findings found in the literature that by far the most effective programs currently carried out are those which operate essentially within a community context.

Recommendation

3. The single most important recommendation of this study is that the bulk of the correctional effort, its programs, and its resources be moved to the community level.

Chapter V, "New State-Local Partnership", makes further recommendations as to the roles and responsibilities of State and counties in the administration of the correctional system. Basically, this study recommends that all correctional programs be placed within the communities of the State and that responsibility for their development and operation also be given to the community (county or other arrangement of a sub-unit of a community or collections of communities). This recommendation envisions a necessary but limited role for the delivery of actual programs at the State level. The State should offer a few highly specialized programs, implemented in small institutions for the limited number of offenders requiring maximum security for a relatively extensive period of time, i.e. longer than one year. Additionally, the State will need to operate institutions of essentially a medical-psychiatric variety for a limited number of offenders requiring security and intensive modes of medical-psychiatric treatment. The primary role, however, for the State of California is to assume full and complete responsibility for the organization and support of the correctional effort. Essentially this role involves 1) planning, 2) coordination, 3) standard-setting, 4) training, 5) consultation, 6) funding support and 7) research and development. The President's Commission on Law Enforcement and Administration of Justice pointed out in this regard:

> "The variety among correctional administrative structures in the country makes it difficult to determine how the new community programs can best be administered. The limited history of the prototypes indicates that the State itself will have to play a major and continuing role in order to coordinate services"[3] (emphasis added).

As will be discussed in Chapter VII, it is felt that the State could best deliver these needed services by pooling and coordinating its resources in a combined department, a major division of which would be assigned to supply community services.

This recommendation holds that the community will be responsible for both institutional and non-institutional programs operated in the community, by the community, utilizing its agencies, talents, and resources. It is the firm view of the various Task Forces in this study that the community has the only real capability for delivering effective correctional programs. For this recommendation to be realized, the community must accept its responsibility and be joined and supported by the State in organizing itself to do this job. All aspects of the community must accept this responsibility and be involved. As the President's Task Force on Corrections pointed out:

> "Whatever the administrative arrangement, it is essential that all elements of corrections should be involved.

> Special community programs must be perceived by all parts of the correctional apparatus as legitimate and integral parts of the system. There is a great tendency for each part of the system to push forward with its own existing programs.....Failure to involve important elements of the correctional community can jeopardize not only the creation of new community programs but the survival of those which prove successful... ...It is clear that new community programs must be integrated into the main line of corrections if they are to succeed and survive."[4]

This study has found that, too frequently, staff of correctional agencies are reluctant to seek out and accept the involvement of other social agencies and elements of the community. If a community correctional program is to be developed and is to be effective, local and State professional correctional workers must accept the responsibility to solicit and develop the support and involvement of public and private agencies within the community, and ultimately, the community itself. As the President's Task Force on Corrections has indicated:

> "Finally one of the most critical problems in developing new community programs is to secure the involvement and participation of the community itself. Too often promising programs such as halfway houses have failed simply because the community was not prepared to tolerate them. Thus it is essential that the public be brought into planning early and that the correctional managers make intense efforts to insure citizen understanding and support."[5]

To achieve the objective of community understanding, involvement, and participation, one of the essential tasks to be taken on and effectively met is the task of public education. Keldgord makes the case, in "The Choice for Corrections-To Stand Up, Speak Up, or Shut Up"[6], that the pattern of action on the part of corrections is one of inconsistency, indifference, and nonperformance. He points out that corrections is obliged to operate ongoing education programs if it is to expect the public to support programs about which they currently know little if anything. The Prison Task Force Report correctly points out that there is always the danger of "overkill" in programs of public education, and suggests that such public education efforts can create illusions regarding the potential effectiveness of any given program. This caveat is well-taken but does not detract from the clear general need for programs of public education as requisite to insuring public support and involvement in what is the responsibility and business of the public.

Movement of programs to the community level should provide the opportunity to overcome the conservatism characteristic of most contemporary correctional programs. Undoubtedly, part of the reason for their essentially conservative or traditional character is to be explained by the character of the administrative organization and the administrative styles of these organizations. The data of this study suggest that local programs and adminis-

trations tend to be the most traditional and conservative. Hence, one of the clear responsibilities assumed by the State would be the role of correctional gadfly, critic, motivator, and in general, prodder of local correctional organizations, to be willing to assume some risk in the development of its programs. Local program administrators must be supported in summoning courage to embark upon untried programs which could result in negative repercussions within the local community. If correctional program is to meet the challenge of crime, it is clear from this study that new and innovative programs are a sine qua non. Through its varying roles and responsibilities, the State must provide support to the local administration willing to embark upon the tenuous path of new and innovative programming.

Recommendations

4. Corrections should strengthen its commitment to a "community-based" approach by educating and involving the community in its operations and by maximizing its use of available community resources.

5. Simultaneously, corrections should redouble its efforts to develop effective alternatives to institutionalization, particularly State or lengthy local institutionalization.

6. The State and counties should make every effort to increase the coordination and continuum of treatment between pre-institutional, institutional, and post-institutional services, within their own agencies and between agencies.

VI. ORGANIZATIONAL STRUCTURE, ADMINISTRATION, AND DECISION-MAKING

The general organizational structure which typifies California's correctional components is what most organizational theorists call the bureaucratic model. This model places emphasis upon several concepts which include:

1. Structured Hierarchy - A principle which suggests that an office or individual be supervised and controlled by a higher one.

2. Task Specialization - Within the totality of any organization, the employees are chosen on the basis of merit and ability to perform specialized tasks.

3. Specialized Field of Competence - The specialized tasks performed within any organization remain the sole responsibility of the specialist; job descriptions are constructed as an application of this requirement.

4. Standards of Conduct - Organizational life should be predictable and the implementation of organizational stability should be accomplished by individual compliance with policy statements.

5. Records - The organization should record all administrative acts, decisions, policies, and rules as a method of maintaining a stability within the organization's boundaries.

In general, a bureaucracy is a chain of command, structured along the lines of a pyramid. It is a typical structure and one which coordinates and controls the business of almost every human organization known to man - industrial, governmental, educational, investigatory, military, religious, and voluntary. It contains a well-defined chain of command; a system of procedures and rules for dealing with all contingencies relating to work activities; a division of labor based upon specialization; promotion and selection predicated upon technical competence, personality, and human relations. The bureaucratic model was developed as a reaction against personal subjugation, cruelty, and the capriciousness of subjective judgments which emerged from managerial practices of the early days of the industrial revolution. Bureaucracy has emerged out of organizations' need for order and precision and the workers' demands for impartial treatment.[7]

The concept of a bureaucratic model is not negative in nature, but the question remains about its suitability for today's correctional organization. Four general problems can be noted which indicate a need for a modification of the classic bureaucratic model used in corrections:

1. Rapid and Unexpected Change - Bureaucracy's strength lies in its capacity to manage efficiently the routine and predictable events in human affairs. Bureaucracy, with its clearly defined chain of command, rules, and rigidities, is ill-adapted to rapid change and increasing demands.

2. Growth in Size - In theory there appears to be no height and breadth which bureaucracy cannot attain. However, the complexity of centralized control becomes an overwhelming menace to the effectiveness of the organization. The movement of corrections away from a few large units to a larger number of small units makes the problem of growth doubly difficult to administer within standard bureaucratic operating procedures.

3. Increasing Diversity - In today's organization and particularly the organization of the future, the type of tasks to be performed will be of a varied nature. It will either require the advent of a new organizational "generalist" specialist or the management of today's specialists in such a way that they become effective entities within this new organizational structure.

4. Change in Managerial Behavior - Increasingly in our society, conceptions of man as a worker are based on notions that workers have an increasing fund of knowledge; a new concept of power relationships based on collaboration and reasoning, replacing a model of power based on coercion and threat; and a new concept of organizational values based on humanistic democratic values, replacing the depersonalized, mechanistic systems. Managers today are having

> to shake off the old prejudices about the eggheads and long haired intellectuals, for these are the very individuals who make up part of the new organization.[8]

This is a period of intense organizational growth and upheaval. This phenomenon is evident in corrections and must be examined. It is something to which the future correctional organization must be able to adapt, identify, and work with. Today, due primarily to the growth of science, technology, research, and developmental activities, the organization's environment is rapidly changing. It is a turbulent environment - not a placid, predictable one.

The situation is further complicated by the fact that organizational complexity and diversity lead to different orientations within sub-systems, so that goals that may be clearly identified in one part of the organization may be dysfunctional in another or, at best, only vaguely understood by others in the organization.

"Most organizations have a structure that was designed to solve problems that no longer exist."[9] Much of what any bureaucratic organization accomplishes after it reaches its initial plateau stability is the promotion of its own internal quest for organizational harmony. This is not an ill of correctional organizations, rather it is a reflection upon Weber's "idealized formal bureaucratic organization".

The modern organizational theorist has raised many questions about the direction of change and its impact on organizations of the future.

> "Bureaucracy, with its 'surplus repression', was a monumental discovery for harnessing muscle power via guilt and instinctual renunciation. In today's world, it is a prosthetic device, no longer useful. For we now require organic-adaptive systems as structures of freedom to permit the expression of play and imagination and to exploit the new pleasure of work."[10]

Unfortunately, most correctional organizations are currently either tradition bound or encumbered by a transitional period which is filled with anxiety and frustration. The transitional values, at the base of much of the new frustration, include an emphasis on human needs, a sense of community, consumer rights, personal expression and meaningful work, non-material objects, research and education, and a new emphasis on existential values. These values suggest a new personal responsibility and integrity, a personal identity and shift from an organizational identity, and a new area of self-directed choice.

The traditional organization encumbered by internal preservation, rigidity, non-communications, inflexibility, and a lack of creativity is no longer an acceptable model for the future. This kind of organization often forgets that people are human beings and unique, and that the organization must adapt to meet the individual client's needs. Corrections deals with people, many of whom cannot be dealt with efficiently. Besides, efficiency many times

consists of doing an irrelevant thing well. The question posed here is whether the correctional organization of today which is rigid and, with reason, somewhat efficient, can exist in an era when not only the public but the professional in the organization are more socially conscious and concerned. The public as well as some public officials are beginning to question why an organization cannot maintain a flexible, adaptive posture. Organizationally, this is the dilemma that corrections faces today. This is an era of organizational change for corrections.

> "The general direction which organizational change will take is toward less rigidly structured relationships both within the work unit and between superior and subordinate. It can be predicted that administrative and management practices will move toward a results orientation. This means that corrections will shift from a reliance on task and job descriptions; and on bureaus, divisions, sections, and the like to an organizational form more related to the client and his progress toward some sort of goal."[11]

An imperative for the future organizational development of corrections is a flattened hierarchial structure. The long lines of communication and command are dysfunctional and disruptive for an effective new correctional organization. In most correctional organizations, the director of that organization tends to become encapsulated at the top of the structure. In turn, this affects his capacity to make decisions based on the best set of information. That information does not flow smoothly and unrestricted is an inherent problem with all hierarchially-arranged organizations. Therefore, it is imperative that a new organizational model be developed to handle the problem of communicative interference which occurs between levels of the organization. To reduce organizational "noise" between the working levels and the policy levels, the new structure must reduce the distance and provide for a greater degree of integration between them.

It is recommended that all correctional organizations follow the general principle of flattening the structure. If the bulk of the correctional operations were transferred to the local or community level, it would become possible to flatten the overarching State organization to a minimum number of line relationships. At the statewide level the preponderant number of units would become staff units operating through the director of the new State Department of Correctional Services. It is essential that this occur in order to have clear and effective interaction between community and State.

All of the Task Force Reports indicate that worker morale in the agencies studied is generally low; staff rate the quality of communications as being poor, and perceive a significant problem in the general organization of corrections. Many employees perceive an inherent conflict existing in the organization which on the one hand is purportedly oriented to the client, his needs and problems, and on the other hand exhibits an authoritarian administration and style which appear to be more concerned with the problems of the organization's maintenance and survival.

The typical organization of lines of communication and decision-making procedures are seen as reflecting this problem. Communication tends to be organized in a way that factual information flows up and decisions and control directives flow down. The consequence of this type of organization results in a curious inversion of the original problem about which decision-making would appear to occur. The fundamental problems of correctional organization are seen as those relating to the question of what should be done for, with or to the offender. This form of organization tends to make a decision on the offender's problems not where he is located, but several points removed in the organizational hierarchy. In general, the more important the problems are perceived to be, the higher up the hierarchy the decision is made. Removal of the decision from the locale of its origin is inevitably accompanied by an attendant loss of ability to review that decision and be held accountable for the results of the decision. The Parole Task Force Report provides an excellent discussion and example of this general problem. Among the most critical decisions made relating to institutionalized offenders is the decision regarding their release from the institution. That decision characteristically is carried out through a process which calls for the flow of information from the level of inmate and workers who are in immediate contact with the inmate through the hierarchy to a paroling authority far removed. The information which is transported through the communications system is sometimes modified, lost and interpreted in the process. The decisions which are reached, although possibly correct, are frequently difficult to interpret in the original context within which the question arose or the later context within which the decisions are to be implemented.[12]

This general problem of organization, administrative style, and decision-making process is reflected in all of the Task Force Reports. These Reports indicate that in the opinion of many correctional workers the organization produces a situation where staff become people manipulators (e.g. "cooling-out" clients; "slanting" reports, etc.) rather than treatment agents. Further, it results in the appearance that the organization is run for the convenience of staff rather than for the needs of the clients.

With a flattened organizational structure, it should become possible to develop lines of communication which are bilateral and encourage interaction. Supervisor or manager would be close to worker and client, resulting in the operation of decision-making processes nearest to the point of relevance. In turn, this would allow for the input and almost immediate feedback or reaction to it on the part of each person relevantly related to that decision. With such an organizational structure and style, it would be much easier to exercise accountability and relate accountability to the productiveness or consequences of decisions rather than to the exercise of control and authority.

A more detailed statement of the administrative style or type of organizational management which the System Task Force believes essential to an effective correctional agency and system is contained in Chapter VIII.

VII. FACILITIES

Much of the current correctional program is carried out within some type of correctional facility. Three companion Task Force Reports provide detailed descriptions and evaluations of the contemporary correctional facilities in the State. One general conclusion emerges from these Reports: correctional facilities are too large and poorly located.

Correctional institutions represent the best example of the conclusion stated above. As a general rule, they are too large; difficult if not impossible to manage; and too far removed from the real world of people, problems, and real life styles. Frequently, the location of correctional institutions has been politically motivated; rarely does their location or design reflect any correctional philosophy. The unreality that size and location bring to the institution becomes an inherent obstacle to the eventual reintegration of the offender back into the community and the attendant use of the community resources for that reintegration.

To a lesser extent, but generally true, the location and size of field service facilities also tend to be poor and too large. An example of this is graphically presented in the City of San Francisco. Although the City is only seven miles by seven miles in size, the distance between Hunter's Point (an area of high delinquency referrals) and the Youth Guidance Center in the world of social reality is probably nearer seven thousand miles.

Even when facilities are reasonably located and of tolerable size, the Parole Task Force Report, for example, indicates that most of them are in great need of modernization. Buildings and equipment are frequently fifty or more years old. Humane and effective treatment in such facilities is difficult, if not impossible, to achieve.

The recommendation already made that correctional programs in the main be moved to the community level would allow the State, in partnership with each community, the opportunity to overcome this problem. It would offer the opportunity to develop small, decentralized, and community-based facilities. These facilities should provide institutionalization as required, day care operations, work furlough programs, specialized treatment centers, probation and parole programs, and all of the other of the range of correctional programs which require a facility as a condition of their operation. The general objective should be to develop or modify facilities in such a way that the facility serves to deliver the program rather than having the program fitted to the character of the facility.

Recommendation

7. Correctional facilities of the future should be small, decentralized, and community-based; no new facilities should be built unless they reflect a specific program plan approved by the State.

VIII. STAFF

Generally, California's correctional manpower and staffing needs are similar to the nation-wide picture. This State faces a shortage of professionally qualified treatment staff workers. The acute needs are in such areas as community probation and parole workers as well as psychiatrists, psychologists, social workers, and teachers.

These shortages have occurred for a variety of reasons in an era, at least in California, when employment opportunities in the field of corrections should be tight. Admittedly salaries are low, but growing. The working conditions are viewed as intolerable in some instances and few institutions or correctional facilities are located near population centers. The public generally has little knowledge about corrections and, hence, often does not hold a career in corrections in high esteem. This factor, combined with organizational and administrative rigidity, does not provide strong inducements for employees or potential employees to seek a career in corrections.

Manpower needs in the areas of more traditionally-oriented custody functions are in better condition, due in large part to lower job requirements. There are, however, a series of questions raised about the quality and need for increasing numbers of staff members to fulfill the custodial requirements of California's correctional programs.

It is in the area of conventional treatment and helping programs that corrections in this State is particularly understaffed and poorly organized. Seldom are the more traditional programs of rehabilitation and reintegration generously staffed (as opposed to the more generous staffing patterns of newer programs such as: subvention, I-level, and CDC workload units).

One of the major sources of the staffing problems in the State's correctional organizations is quite frankly and simply that there are too many administrators. Corrections is blessed with an abundance of functional specialists in managerial and supervisory positions who frankly should be paid what they are worth, but who are not trained to carry out the activities of correctional administration. The result of this hierarchical promotional activity has left the field of corrections with an over elaborated administrative structure filled with too few competent administrators. At the same time, this process has removed a large number of competent "treaters" from their area of greatest competence by pushing them into the administrative ranks in order to be promoted. Both probation and parole field staff have indicated overwhelming support for the establishment of a Parole Agent III and Probation Agent III case-carrying classification.

A common complaint voiced within the correctional system is that line personnel are seldom involved in the decision-making process. Frequently, these complaints are directed toward staff specialists, such as personnel

and budget analysts, who are often seen as the controlling and decision-making agents within the organization. Similarly, there are complaints voiced against the supportive functions of research and planning which are seldom available to deal with the relevant or action issues.

A final comment about the current state of correctional staffing patterns is the issue of minority employment practices. While some efforts do exist to eradicate the past inequities of minority employment and staff utilization, they are much too limited and should be vigorously expanded.

The organizational change suggested by this study is dynamic and will be viewed by some as a traumatic exercise in organizational development. The System Task Force views administration and management as a process for getting things accomplished within an organizational structure. Staffing patterns and staff development are the vehicles permitting or restricting the dynamics of administration and management to move toward organizational goals and objectives.

The staffing and personnel management problems facing corrections today are to some extent the result of rigidity brought about by civil service reforms which were designed to clean up an era of "spoils" within the public sector. Those reforms were a vital necessity for the 1920's and they have served their purpose well. However, corrections as well as other segments of public service are entering a dynamic new era of public administration, one requiring creativity and flexibility. The concept that organizations are designed to fulfill an unending responsibility in certain functional areas is quickly giving way to a deeper understanding that rigid function and functional specialist categories can no longer meet the changing personnel needs of corrections. There is a critical need to develop new personnel classification formats which would provide flexibility within role performance and job specifications, job and career mobility, and to include para-professionals and volunteers as legitimate staff in the correctional scheme. Organizational needs are changing and with those changes will come a need to change the format of personnel administration for corrections.

The task for corrections is to modify its personnel administration in ways which will accommodate (1) large numbers of workers, (2) occupying a larger number of work roles, (3) which overlap and depend upon close integration of effort. Correctional administration will need to develop the capability to put together correctional teams composed of professionally trained, para-professional, and volunteer workers. Such teams will have program or project responsibilities to fulfill.

If an interest in program or project management is developed, then most assuredly staffing patterns will have to change. The traditional hierarchical model will have to be modified and the need for many layers of supervisory roles will be reduced. The traditional ideas of span of control and one-man-one-boss will vanish and in their place will develop a new concept of participative or team management for corrections. This approach has both economic and manpower advantages. Economically, it makes resource utiliza-

tion more flexible and, on a manpower basis, it not only increases personnel utilization but through contractual arrangement widens the present scope of the personnel market.

If there is an acceptance of program management for corrections, then the traditional functions of the "staff" personnel will have to change as well. No longer will staff functions be allowed to operate in a posture of opposition to those of line workers. Rather specialized staff will be required to serve as part of a team with line workers in the common pursuit of the system's goal of protecting society.

The team approach will have a significant impact on the traditional barriers between correctional agencies. The achievement of more flexible civil service regulations will at long last permit interagency transfers, at all levels of service, between the counties and the State.

The greater flexibility in civil service requirements, the advent of a team approach to management, as well as a new understanding of the role of corrections in society will hopefully break down the "professionalism syndrome" which currently restricts the para-professional and the volunteer from taking an appropriate place on the correctional manpower team.

The utilization of volunteers and para-professionals in program development in the field of corrections is one of the most effective means of helping meet the goals and challenging needs of today's correctional administrator. Traditionally, some of the problems which have plagued corrections since it became a profession are at long last being faced with an adequate solutional base.

Corrections has long lacked in members the totally professional staff it has needed to meet its clients' requests for better service. The position taken by this study regarding the development of community correctional programs is that it will require the advent and widespread utilization of the volunteer and para-professional. Supervisor, professional, para-professional, and volunteer must be welded together in a correctional service team.

Recommendations

8. Correctional staff (both current and former) should be enabled to transfer between or compete for promotional opportunities in other correctional agencies, without loss of rank or benefits, provided they meet the necessary requirements. To facilitate this, the State and counties should coordinate their retirement systems and remove any civil service or other administrative barriers.

9. Wherever appropriate, correctional agencies should create a case-carrying position equivalent to the first level supervisor in salary and other benefits.

10. Corrections should expand its efforts to hire and promote qualified minority workers.

11. Correctional agencies should begin organizing themselves into correctional service teams, with greatly expanded use of para-professionals and volunteers for direct services and greater use of professional staff as case or service managers and coordinators.

IX. TRAINING

The current status of training within the State correctional system varies tremendously. The range of programs is from sophisticated to nonexistent. Generally, training is a function which is relegated to the status of correctional stepchild. It is of vital importance to most correctional organizations until the squeeze of a limited budget casts it aside for some other function deemed more important.

The training programs of various probation departments throughout the State vary from a high level of sophistication to virtual nonexistence. Of the sixty probation departments in the State, approximately 11 maintain full-time training officers while about 7 others employ part-time training assistance.[13] Most smaller departments depend upon the Youth Authority to supply the bulk of their training needs. The advent of probation subvention in 1966 has clearly had the greatest impact on upgrading the level of probation training in specialized supervision units, as well as creating a salutory spillover to other units. However, many of the problems cited below still apply.

The 1968 California Task Force on Correctional Manpower and Training pointed out four training areas of particular concern: pre-service, orientation, in-service, and cultural programs.[14]

1. Pre-Service - Currently California needs approximately 2,200 new correctional personnel each year. The pre-service training program at the community and four year college level meets only about one quarter of the current manpower needs. However even most graduates of these academic programs need further correctional training before they can assume responsibilities in their respective agencies. There is a serious question about the quality and relevance of this needed training.

2. Orientation - The Department of Corrections and the Youth Authority both have programs for institutional and field service positions. However, there are no programs for the advanced ranks of these divisions. Only a few counties have orientation programs and for the most part county employees step into existing positions or caseloads and "learn by doing".

3. In-service - There is a general lack of coordination of training efforts, knowledge, and resources both within California's correctional system and between subsystems. Few departments have their own training officer or planned training program. The bulk of probation training is handled by the Youth Authority, but it is a "boot strap" operation lacking adequate funding, training, coordination and resource support.

4. Cultural - Minority groups are represented in large numbers as correctional clients in all parts of the system and there is anticipation that these groups will constitute over 50% of all correctional clients within the next decade. Yet, there is almost a complete lack of training programs and content centering around cultural problems; this void exists in the form of lack of resources, personnel, and programs. Except for a very select few Community Colleges and four-year colleges, this knowledge component is not developed or available.

Training within California's correctional system is of an insignificant proportion. Less than 1% of the current budget is spent by either the Department of Corrections or the Youth Authority on training programs throughout the State. A summary of training involvement of probation, parole, and jail staff appears in Table III.

Deficiencies with California's training efforts for corrections pointed out by Phase II of the California Correctional Training Project in 1970 include the following:[15]

1. There is no formal, underlying plan for training activities within most agencies.

2. There is no consensus between administrators as to how training is to be made available--for example, where and by whom.

3. There is little evidence that any concepts have been formulated upon which to design programs or stage specific activities.

4. Within individual agencies, training resources are not evenly distributed. Most of the available training is for field personnel. Investigative, institutional, and clerical employees are generally neglected.

5. There is little provision for personnel to receive special training in advance of assuming new and greater responsibilities. This is particularly true of supervisors.

6. Training officers also generally lack special preparation.

7. Agency administrators and training officers tend to conceive of training in limited terms usually orienting new employees and stressing procedural matters.

TABLE III

TRAINING IN CALIFORNIA'S CORRECTIONAL SYSTEM

	PERCENT WITH SOME TRAINING	MEDIAN AMOUNT OF TRAINING*
PROBATION-JUVENILE		
Subsidy line workers	87%	3-4-hours per week
Non-subsidy line workers	72%	3-4 hours per week
Supervisors & administrators	67%	3-4 hours per week
PROBATION-ADULT		
Subsidy line workers	70%	5-9 hours per week
Non-subsidy line workers	68%	1-2 hours per week
Supervisors & administrators	57%	1-2 hours per week
PAROLE-CYA		
Line workers	75%	1-2 hours per week
Supervisors & administrators	80%	1-2 hours per week
PAROLE-CDC		
Line workers	88%	3-4 hours per week
Supervisors & administrators	83%	3-4 hours per week
JAILS		
Line workers	80%	3 hours per month
Supervisors & administrators	71%	4 hours per month

*The median is based only on those who reported that they receive some training.

8. Since training is often seen as a luxury rather than necessity, sufficient funds are generally lacking.

9. There is a serious need for some agency or authority to become the focal point for organizing training on an inter-departmental basis.

10. Effective training programs need not only money but a whole chain of factors from administrative commitments to management direction to staff study and planning, to the development of program concepts which should be the core for developing training.

The Correctional System Study confirmed the deficiencies pointed out by the California Correctional Training Project and has arranged those findings into a coordinated resolution which suggests that California corrections develop a posture predicated upon four areas of concern: agency commitment, increased planning, expansion of resources, and statewide coordination.

Agency Commitment

The first requisite for improvement of training in any department is a strong administrative commitment to the value of that process. The commitment is meaningless if it is little more than "lip service". The administrative structure of any department must provide the necessary resources for effective training programs and permit, indeed encourage, staff participation.

Increased Planning

Generally, correctional training efforts are meager at best. They are by tradition very similar and often are the result of a crisis situation which necessitated them, but which makes their perpetuation absurd. Breaking the cycle of mediocrity may be realized through the following strategies: (1) the formulation of general training goals and policies congruent with the goals of the agency, (2) the development of an understanding for staff needs in relationship to those training goals, (3) the development of specific training programs and resources to meet the needs expressed, and (4) the development of a "measurability" capacity to assess degrees of expected outcomes in a process of continuing evaluation and modification.

The major indices of effective training programs are that they be relevant, individualized, ongoing, and flexible. First of all, any training should be appropriate to the responsibilities and duties of those individuals receiving it. Lack of adherence to this principle was found in field and institutional units where staff was trained, at considerable time and cost, in I-level theory and techniques when they had workloads that almost totally prohibited the implementation of this system. Another example is the training of supervisors in sophisticated therapeutic techniques such as psychodrama when they neither use these techniques with clients nor teach them to

other staff. Secondly, to maximize the investment in the professional development of each worker, training must be individualized, i.e. based on his training needs rather than those of an overall group of workers. The most frequent abuse of this occurs when large groups of employees are "processed" through the same program with the primary consideration being, not individual needs and capacities, but available space in a particular program. Third, just as no one ever reaches the zenith of knowledge, so no correctional worker ever achieves, let alone maintains, his maximum capability; professional development is a never-ending endeavor. Fourth, a repetitious or unmodified training program quickly develops rigor mortis. Any effective effort at professional development must be malleable and flexible so that it can be adopted to new and changing needs and techniques.

Expansion of Resources

Trainers and training are at a premium in corrections. To acquire a greater share of existing resources or to develop new ones will necessitate both a greater budgetary commitment and a sharpened resourcefulness. Obviously, these are both largely dependent on overall agency commitment and careful planning.

Some agencies have progressed rather far in this regard, while others have barely begun to tap available resources. The first and most important source of training potential is within each individual agency. The most recent statewide study of training, referred to above, stressed two priority targets:[16] the development of specialized trainers in each agency and the motivation and enabling of first line supervisors to carry out their role as training agents in their organizations. However, it is the position of this Task Force that, while large agencies are or should be able to provide most of their own training, the State needs to play an increasingly stronger role in providing basic training for small departments and more specialized programs for all who need them. Cooperative or contractual arrangements with other correctional, or non-correctional agencies with similar needs (e.g. welfare, mental health, or law enforcement agencies), could provide an increased sharing of training resources. Similarly, contracts with private agencies or individuals could make expert assistance readily available. Colleges and universities have been a traditional pre-employment aid if not sine qua non for corrections. However, only minimal use has been made of the potential for graduate or specialized training. Departments should not only allow but should actively encourage and enable their staff to participate in advanced educational programs.

Statewide Coordination

The fourth system-wide need is the coordination of training activities and resources throughout the State. The System Task Force recommends that this responsibility be assigned to a special unit within the proposed Department of Correctional Services, generally following the principles and guide-

lines of the CO-ACT concept, a design developed by the California Correctional Training Project in the document Training for Tomorrow.[17] The model suggests:

1. The creation of a training unit which would be part of the Department of Correctional Services and serve as a single staff arm for manpower and training for California's State and county correctional agencies.

2. The informal consolidation of all specialist training personnel employed by and/or assigned to service correctional agencies into a structured association or network.

3. The activation of a partnership between the training network system and the State training unit by appropriate means, such that each partner will serve the other to the advantage of the total correctional system. The State training unit and its accompanying statewide network would exist to:

   . Serve as a coordination point for correctional manpower development planning.

   . Constitute a seat of authority and expertise by which corrections can interact with other segments of the criminal justice system and with the spokesmen of higher education relative to matters of manpower development and training.

   . Provide about 35 probation departments too small to support their own formal manpower development programs a complete array of orientation, initial basic, and ongoing in-service training.

   . Assume responsibility for providing, upon the request and with the assistance of a particular agency, specialist, supervisory, and management training and other manpower development services to that agency.

   . Develop and make available to network personnel an extensive inventory of information, expertise, equipment, material, and other resources.

   . Request, receive, and disburse funds for the use of individual correctional agencies to enable them to initiate and/or augment their own training programs.

   . The nature of this unit should be temporary and flexible. Its concern should be with distribution of service not with self-perpetuation.

4. The formation of an advisory body of representatives from local criminal justice, correctional, and educational agencies, as well as other appropriate persons, to assist in the accomplishment of all the above.

In addition, it is recommended that this central training coordination unit assume the responsibility, together with its agency network and their advisory body, for developing and operating a certification program for correctional personnel. Certification, long urged by many correctional practitioners, should assure uniform minimum requirements for employees, lead to higher and more uniform quality of performance by staff, provide the basis for greater flexibility and mobility of workers between agencies, increase the correctional worker's self-image as a recognized professional, and promote the image of corrections as a profession in the public's eye. The various types or levels of certification, the requirements for each, and other details of administering the program need to be worked out by the Department of Correctional Services. It is suggested that the minimum requirements include an appropriate level of academic achievement and the completion of an on-the-job "internship" during which a satisfactory level of competence is demonstrated.

Although not a specific recommendation, the Task Force observes that California law enforcement officers have, since 1959, had the benefit of a widely-respected training program operated by the Commission on Peace Officer Standards and Training. Since 1959, approximately 40,000 law enforcement officers have participated in the program, which incorporates the services of 70 community colleges, 6 State colleges, 5 private colleges, and 3 universities. It is suggested that as a possible alternative to the recommended model, some value might result from creation of a similar Commission to serve correctional personnel. Information received from the State of Maryland reveals a Correctional Training Commission has just been established by that jurisdiction.

Recommendations

12. The State of California should immediately establish a centralized training unit, to coordinate all training activities and resources relevant to corrections throughout the State, modeled after the CO-ACT design. This program should include a network of local and State trainers, from corrections and other relevant groups, whose primary objective would be to assist each other in maximizing the effectiveness of correctional training.

13. This centralized training unit, together with its agency network, should immediately develop and implement a certification program for all correctional personnel in the State.

14. An advisory body of local correctional officials, criminal justice representatives, educators, and other appropriate individuals should be created to assist in the planning, implementation, and coordination of both the above responsibilities.

X. FUNDING

It was earlier reported in this Report that in April, 1970, California's total correctional population consisted of some 274,000 offenders. Of this 274,000 offenders, approximately 53,000 or 18% are institutionalized. Some 80% of the offender population is handled by field services.

The fiscal data available to this study indicate that in support of these correctional programs California spent in excess of $220,000,000 during 1969-70. An analysis of the expenditure of these funds reveals the very striking facts that (1) approximately 67% of the funds were spent on the 18% of the population who were in institutions, whereas (2) only approximately 33% of the funds were expended on the 80% of the offender population who were handled in field programs.

An inescapable observation emerges from this analysis. In the grossest terms, the State of California is presently expending a disproportionate amount of its correctional dollar on programs with the smallest number of clients, and which currently appear to have the smallest payoff. Crudely put, it appears that California is wagering too heavily on the wrong horse.

Additional analysis reveals that the burden of these funds is inequitably distributed. Probation supervision which handles the largest proportion of the population, is paid for primarily by the county with some help from the State. The same is true in the funding of juvenile camps, ranches and schools. County jails, including work furlough programs, are funded totally by local government. The State assumes fiscal responsibility for the operation of prisons and juvenile State institutions with very little reimbursement paid to it by counties.

As indicated earlier in this chapter, in the last analysis the State must assume the ultimate responsibility for crime, criminals and their correction. It is the State which has the responsibility to insure that the funding for corrections is sufficient, and that it is equitably and effectively distributed.

Because the problem of funding is critical to the recommendations and thrust of this study, the issues involved will be discussed in more detail in a separate chapter (Chapter VI). It is sufficient to state at this point that it is the considered recommendation of this study that the State should enact an "across the board" corrections subsidy program. Such a subsidy program is recommended to assist all segments of local or community corrections, not just probation supervision and juvenile institutions, as is presently the case.

The State corrections subsidy should establish priorities. Among these priorities are the following:

1. Probation supervision and investigation, including probation-operated day care centers. These should be subsidized by the State at 75% of the operational cost.

2. Local "open" institutions, which provide residents with almost daily contact with the community. These should be subsidized by the State at 60% of the operational cost.

3. Local "closed" institutions, which are short-term (i.e. maximum confinement not greater than six months) and community-based (i.e. located in or adjacent to the communities which they purport to serve and involve a high degree of interaction with the community). These should be subsidized by the State at 40% of the operational cost.

4. Other local institutions, which are not short-term or community-based. These should be subsidized by the State at 25% of the operational cost.

Additionally, it is recommended that county correctional operations which find it necessary to seek commitment of offenders to State operated institutions be required to reimburse the State for 75% of the "career cost" for such commitments, to include institutional care and parole supervision, unless the county wishes to contract with the State for county provision of the parole supervision.

Further, it is recommended that counties be allowed to invite the State to provide probation services. When such a request is made of the State and found to be appropriate, it should be possible for the county to contract with the State for such services. The county should then pay the State 25% of the operational cost.

This new subsidy program should be reviewed annually and revised as necessary. The State, in cooperation with the counties, should develop minimal standards for the operation of the local correctional program and require adherence to such standards as a requirement for receiving the subsidy. The State should have the obligation to enforce these standards.

It is anticipated that commitments to State institutions would continue to decline. This would allow the State the opportunity to close existing facilities that are old and poorly situated, with consequent savings developing therefrom. It is strongly recommended that the savings realized be sequestered for the use of corrections. Additionally, it is recommended that the proceeds resulting from the sale of any institutions which are closed also be sequestered for the use of corrections.

Finally, it is recommended that the State seek appropriate Federal funds to augment the State's correctional budget during the first year of the operation of this new correction subsidy program. In the event that Federal funds are not available, consideration should be given to the use of the estimated

$126,000,000 net savings which has already accrued to the State as a result of the probation subsidy program.[18]

XI. STANDARD SETTING

The concept of the State having responsibility to set and enforce standards for the operation of correctional service is not new. At the present time, the State of California has such provisions regarding certain correctional agencies.

For example, the Board of Corrections is presently charged with the responsibility for approving all plans for jail construction and, in addition, is charged with the responsibility for inspecting jails. It does not, however, have any authority to close those jails which it finds to be substandard. The laws which define this responsibility and which grant the existing authority are inconsistent and, in terms of the intent, are patently ineffective. This situation continues to exist in spite of the fact that evidence available to the Jail Task Force indicates that virtually all the sheriffs who operate these jails are in favor of mandatory and enforced State standards for jail operations.

This Report has already provided the basis for the recommendation that the State has the responsibility for standard setting for all of corrections. However, the State must discharge this responsibility in a way which is creditable to the local correction operation; the State does not necessarily have a history of credibility along these lines. For example, the State currently insists that no county operated juvenile institution can house more than 100 youths. At the same time, the California Youth Authority operates juvenile facilities with capacities up to 1,200.

The standards developed by the State must not only be credible but realistic. Endemic to the field of corrections today are a host of correctional "myths" which masquerade as correctional standards. An example of such a correctional myth is the arbitrary figure of 50 as the standard maximum caseload size for probation and parole. Carter and Wilkins assert:

> "The fifty unit workload as a standard for probation and parole supervision is an example of one of the myths. Where did this number come from? On what empirical data is it based? Is it an appropriate limitation of caseload size? If it is not appropriate, what should be the workload for corrections? A search of the literature dates the fifty unit concept back to at least 1922, when Charles L. Chute, then President of the National Probation Association, observed: 'To this end fifty cases is as many as any probation officer ought to carry.' The fifty unit concept found its way into the prestigious academic literature...

> "The institutionalization of the fifty unit concept is now firmly entrenched. Budget for operating agencies, testimony before legislative bodies, standards of practice, and the projection for future operational needs all center about this number. There is no evidence of any empirical justification for fifty, nor for that matter, any other number."[19]

The setting of standards which are realistic and related to the task to be carried out presents both a conceptual and empirical problem. It is suggested that the crucial determining variables revolve around client and staff needs, resources and capabilities. It is also necessary that the State be provided with the capability essential to the accomplishment of setting realistic and effective standards, viz. an evaluative and research capability.

Recommendation

15. The new Department of Correctional Services should be assigned the ongoing responsibility of standard setting and enforcement. It should, however, strongly involve the counties in the setting of standards.

XII. RESEARCH AND EVALUATION

> "The most conspicuous problems in corrections today are lack of knowledge and unsystematic approach to the development of programs and techniques. Changes in correctional treatment have been guided primarily by what Wright calls 'intuitive opportunism', a kind of goal-oriented guessing."[20]

The President's Crime Commission's description accurately portrays the current state in California corrections. It may seem curious that this is the case when the State of California is internationally respected for its correctional research.

California's research reputation is essentially a function of the work of the research units of the Department of Corrections and especially the Youth Authority coupled with research done in the universities and colleges of the State. The Task Force Reports, however, in assessing the real research and evaluation capability which exists in the correctional system have concluded that most of the system has no such capability. The research units of the Department of Corrections and Youth Authority are limited and not adequately funded. Where the bulk of the correctional effort is carried out, at best there is simple head counting with virtually no research and evaluation.

If the correctional system is to operate as a system, it must have the capability to count and describe its actions, evaluate those actions

and feed back those evaluations, and project and evaluate new forms or styles of correctional action. At the present time, most components at best have only a minimal capability of counting and describing their program activities and few have the capability of feeding back even this elementary information. Only in a limited portion of the various correctional components is there any capability for providing more adequate description; capability for evaluating the outcomes and feeding back that information to the practitioner is even more limited.

A clear need exists to have a research and evaluative capability extant at all levels of corrections and integrated together into a statewide research system. It is the position of the System Task Force that the State has the responsibility for the creation of such a capability. The State must devise a research and evaluation system which would provide to the program unit information regarding that program unit per se and additionally information regarding the nature and activity level of other closely related units. Such a system should bring to the practitioner timely descriptive information and reasonably current analytical evaluations. It should provide the practitioner with information for decision-making, a capability which does not exist at the present time.

It is envisioned that such a system would allow corrections to assume an orientation consistent with its goal. It would allow corrections to be "outcome" oriented. The system as a whole and components within could make determinations regarding the continuation or modification of programs based upon an analysis of their outcomes. It is the position of this study that programs should live or die on the basis of results and not mere historical inertia.

It is essential that the research and evaluation system be integrated into the organizational structure of the correctional system and that it be part of the communicative linkage. If it is to serve its purpose, research must be close to each practitioner. The practitioner must not only be in a position to receive informational output from the research operation but additionally be in a position to input questions, hypotheses, and theoretical perspectives. Where research capabilities currently exist, too frequently they tend to stand and operate in isolation from the practitioners. Thus, the results are often seen as curious and irrelevant to the decisions which must be made by a program administrator. Also, they are frequently viewed as providing answers to the wrong questions. Further, they are frequently viewed as impoverished in conceptual or theoretical equipment which could be gained from the minds and world of the correctional practitioner.

The current absence of an evaluative capability throughout the entire system aids and abets the continuation of discontinuities within the correctional enterprise. It allows program decisions to reflect current fads and fashions, prejudice and hunch, rather than rational determination and planning.

Recommendation

16. The existing research units of the California Department of Corrections and the California Youth Authority should be combined into the research unit of the new California Department of Correctional Services. This new research unit should devise a plan for linking together other existing research operations. Further, a plan for the development and delivery of a research and evaluative function should be developed, leading into and being a part of the entire correctional system. Finally, the State of California should take responsibility for the implementation of that plan.

XIII. SUMMARY

This chapter has attempted to analyze the corrections system in the State of California today. Additionally, a set of recommendations has been put forward which appears to be supported by and flow from that analysis. Many of the recommendations contained in this chapter cannot be implemented without addressing the first analytic finding: California does not have a corrections system as such and to meet the challenges of crime today it must have a system.

Therefore, it would appear worthwhile to re-emphasize and restate those findings and recommendations which address this fundamental problem of the 1970's:

1. The study has found that a clear definition of goal is lacking. The study proposes that the goal of corrections should be the protection of society by doing things which minimize the probability of new offense behavior.

2. This study has found and presented the point of view that the State has overall responsibility for corrections, just as it has for education. The legislation of this State should reflect this responsibility and the commitment of this State to honor it.

   The essential role of the State in meeting that responsibility is to act as an enabler, a standard setter, planner, consultant, researcher, and trainer. The State must modify its agencies and services toward this end.

   It is the local communities, particularly the counties, which have the primary responsibility for the delivery of correctional services. This study has concluded that those programs best calculated to meet the objective of corrections are those which are offered and carried out in the community. Thus, this study has recommended that the bulk of the correctional effort and its programs be moved to the community level.

The community, particularly counties, must accept this responsibility and begin to plan in cooperation with the State the development of new alternatives to their current programs. In many cases such plans might include regional correctional efforts involving two or more counties or catchment areas of communities.

The emphasis of community programs should be upon programs which deliver the correctional effort closest to the natural life-settings of the community. Minimum emphasis should be placed upon the development of institutions. Institutionalization should be reserved only for those persons for whom there is not a good alternative answer. Institutionalization should be for short periods of time; there is no empirical evidence clearly demonstrating that long prison terms (more than two years) or confinement of juveniles (beyond three to six months) are associated with low rates of recidivism. Hence, the length of stay in current institutions should be drastically reduced in both juvenile and adult facilities operated at both the local and State levels.

Emphasis in all programming should be placed upon the reintegration of the offender into law-abiding life styles. The philosophy of corrections should emphasize the principle that corrections should maintain control and formal contact with the offender for the shortest period of time consistent with protection of society. This philosophy should suggest that at all periods of time the burden of proof for continuing the offender in the correctional program should rest heavily and squarely upon the correctional worker or program which would continue the offender in that program.

3. A new organizational format is required at both the community and State level. The standard authoritarian hierarchy and the philosophy of operation and decision-making conventionally associated with such an organization must be replaced with a flattened organizational structure. Correctional organizations must allow for the introduction of new personnel resources into a new style of operation. Correctional teams made up of supervisor, professional para-professional and volunteer will enrich the resource base of correction. Furthermore, such movement of organization will allow the correctional process to move closer to the community for its involvement and support.

The State has responsibility for enacting legislation to carry out these ideas and recommendations. Additionally, it should begin to make those moves which are required to implement these findings. The State of California should begin immediately to reduce the level of direct services which it offers, i.e. reduce the number of institutions and institutionally-related programs. It should move to develop a new administrative structure better suited to carry out its mission as enabler. The present Department of Corrections and the California Youth Authority should be consolidated into a

new Department of Correctional Services. The new Department of Correctional Services should be given the charge that it carry out at least the following functions: (1) planning, (2) statewide coordination, (3) standard setting and enforcing for all correctional programs, (4) training, (5) consultation, (6) funding support through a program of subsidy, and (7) research and development. The new Department of Correctional Services will undoubtedly have to provide a limited number of direct services which cannot be provided adequately at the community level. It is envisioned that these services will largely be confined to operating a few very small institutions which offer medical-psychiatric care and a few institutions which offer maximum security for the small number of offenders who require close institutional supervision.

This development should provide the vehicle and a philosophy for a new State-county partnership with the State assuming its rightful responsibility for insuring, through a program of financial subsidies, the base to carry on a truly effective correctional program. The community can then assume its rightful responsibility to deliver truly effective programs of corrections.

If the recommendations put forward in this Report are adopted and implemented, the citizens of the State of California can be better assured of a correctional program which operates with real economy and delivers effective results. The offenders can be assured more reasonably what they have always been promised - correctional assistance delivered with justice.

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FOOTNOTES

[1]In this regard, the recent reports of one of the communities in California are informative with regard to the problem of intake, the problem of cost, and the problem of effective treatment. The recent reports of The San Francisco Committee on Crime dealing with "non-victim crime in San Francisco" provide an excellent analysis of the problem under discussion.

[2]In this regard, see the companion Task Force Report on Juvenile Institutions for an excellent discussion of these problems.

[3]President's Commission on Law Enforcement and Administration of Justice, Task Force Report: Corrections, (Washington: U.S. Government Printing Office, 1967), p. 44.

[4]Ibid.

[5]Ibid.

[6]Robert E. Keldgord, "The Choice for Corrections-To Stand Up, Speak Up, or Shut Up", in Corrections, the Public and You, Frank Dell'Apa and Charles Weller (eds.) (Boulder: Western Interstate Commission for Higher Education, June 1968), p. 16.

[7]Warren G. Bennis and Philip E. Slater, The Temporary Society, (New York: Harper & Row Publishers, 1969), p. 54.

[8]Warren G. Bennis, Organization Development: Its Nature, Origins, and Prospects (Reading: Addison-Wesley Publishing Co., 1969), p. 20.

[9]John Gardner, No Easy Victories, (New York: Harper & Row Publishers, 1969), p. 44.

[10]Warren G. Bennis, Changing Organization (New York: McGraw-Hill, Inc., 1966), p. 14.

[11]Marshall Fels, "Specialized Manpower in a Changing Correctional Climate" in Perspectives on Correctional Manpower and Training, Staff Report of Joint Commission on Correctional Manpower and Training, (Lebanon: Sowers Printing Company, 1970), p. 48.

[12]For a discussion of the general problem, see Schrag, Clarence, "Some Foundations For a Theory of Correction", in The Prison, Donald R. Gressey, (Ed.) (New York: Holt, Rinehart and Winston, Inc., 1961), pp. 309-357.

[13]Department of Youth Authority, Training For Tomorrow, State of California, (Sacramento, July 1970), p. 36.

Footnotes

[14]California Task Force on Correctional Manpower and Training, Mobilizing Correctional Manpower for California, (Sacramento, 1968), pp. 67-81.

[15]Department of Youth Authority, Training For Tomorrow, op. cit., pp. 44-49.

[16]Ibid., pp. 81-83.

[17]Ibid., pp. 2-3.

[18]Data provided by California Youth Authority.

[19]Robert Carter and Leslie Wilkins, "Some Factors in Sentencing Policy", Journal of Criminal Law Criminology and Police Science, Vol. 58, No. 4, 1967, pp. 503-504.

[20]President's Commission on Law Enforcement and Administration of Justice, op. cit., p. 13.

CHAPTER V

THE NEW STATE - LOCAL PARTNERSHIP

It is the position of this study that the State of California should intensify its overall, primary responsibility to the field of corrections, and that legislation expressing such intent should be enacted; concurrently, it is held that primary responsibility for the provision of direct services to offenders should be at the local level. The role of the State is seen as that of the enabler - the jurisdiction which provides local communities with subventions, consultation, research, training, planning, standard setting, inspection and enforcement of standards, and other essential resources that the counties are unable to supply. The role of the local communities is to participate in a State-county partnership program, and, complying with established standards, to deliver the best possible correctional services.

Data collected during this study reveal that, in the judgment of California's correctional specialists, both at the State and county levels, the most appropriate, most beneficial correctional programs can be achieved locally. Data also reveal that, in order for such programs to demonstrate maximum effectiveness, they should be community-based.

Local officials report that, in order to accomplish the delivery of effective correctional services, they must have the "enabling" and supportive services enunciated above.

Additional credence is given this argument by the Corrections Task Force Report of the President's Crime Commission which made the following assertion:

> "First, local programs can typically develop better support from local citizenry and agencies. Once the offender is adjudged criminal or delinquent, and turned over to a State agency, there is a tendency to withdraw local services. Agencies at the same jurisdictional level tend to be united by a variety of administrative and traditional ties that do not extend to other levels. Employees of local jurisdictions usually have greater identification and ties with their communities, hence greater access to local resources.
>
> Secondly, smaller operations tend to be more flexible and less bound by bureaucratic rigidity. Given aggressive leadership and community support, they may indeed out-strip the larger, more cumbersome State service."[1]

It is noted that the vast majority of offenders are placed in the criminal justice system because of a violation of State rather than local statute. In recent years, there has been a tendency for State laws to preempt local ordinances, thus increasing the likelihood that an offender placed in the criminal justice system is so located on the basis of State

statute. Moreover, it is observed that almost all judicial dispositions for youth and for serious adult offenders (felons) are made by State courts.

Further, it is suggested that, with the increased mobility of Californians, a more uniform application of correctional services is in order, and that, in contrast to bygone days of difficult travel, crime and delinquency do not operate within specific local boundaries. Data collected by this study, as well as that collected by previous studies, reflect extreme variation in correctional decision-making and practices from county to county, stressing again the need for uniformity in the availability and application of correctional services.

While it is not a recommendation of this study, one could argue that a totally State-operated, State-funded correctional program might be the most equitable and the most effective program. Information presented by the President's Crime Commission Report reflects that within juvenile corrections 16 states have centralized state services, while, in the area of adult corrections, 37 states are so organized.[2]

Although it is true that the position taken by this study in respect to the State's role and responsibility for corrections represents an increase in the State's responsibility, there is ample precedent, both in California and elsewhere, for such an increase. It is observed that in other states, the state has assumed more of an enabling role than has California.[3]

It is further observed that, within the field of education, California assumes a primary, enabling role, even to the point of developing educational master plans, issuing teachers' credentials, administering compensatory educational programs, and sharing with local communities the costs of educational services. The field of mental health provides another example of State-county partnerships, wherein the State has, since July 1, 1969, provided local communities with subventions, standard setting, and consultation, while enabling the local community to provide direct delivery of mental health services.[4]

The trend towards increased State responsibility for corrections is not entirely new to California. Since 1945 the State has provided counties with funds for helping with the maintenance and operation of locally administered juvenile institutions; since 1957, the State has likewise provided counties with funds to help defray construction of such facilities. The State has also provided consultative services to these locally operated institutions, and has provided, as well, consultation to county jails and county probation departments. Most significantly, the State has, since July 1, 1966, provided a probation subsidy, and although other states[5] had established subsidy programs previously to that date, California's approach to subvention has been unique. The extent of its subsidy has been predicated on a reduced commitment rate to State correctional institutions. Thus, inherent in this program has been a philosophy which encourages programs at the county level, requires local adherence to State standards, and allows the State to effect savings through reduced commitments to State institutions.

Additionally, California has provided regularly scheduled training for probation officers, juvenile hall staff, juvenile camp, ranch and school staff, correctional administrators and police juvenile officers. In addition, the State, through its Commission on Peace Officer Standards and Training, has, since 1959, provided training for some 40,000 local law enforcement officers.[6] This training, utilizing 70 community colleges, 6 State colleges, 5 private colleges, and 3 universities, has been provided by the State because counties, with rare exception, have been unable to provide adequate training services. Further, the State is, by statute, the standard setting authority for jail inspections, probation, and local juvenile institutions. The State has also conducted inspections of local jails and juvenile halls.

It is the thesis of this Report that State financial support of community-based correctional efforts, a trend started in California corrections many years ago, strengthened in 1945, strengthened again in 1957, and substantially strengthened in 1966, should now be further intensified. It is believed that this stance will permit local officials, who are most familar with local problems and local resources, to develop and deliver improved services, and that, in the long run, the approach will be less costly to the State.

In respect to the latter point, it is observed that the probation subsidy program has saved the State some $185,978,820 since 1966.[7] The savings stemmed from correctional institutions which had originally been planned but for which construction was cancelled. Savings from this category amounted to $93,576,000. Additional savings accrued from the projected operational costs for the facilities which were planned for construction, but which were cancelled. The savings from this category amounted to $67,590,000. Additionally, the State saved money by not opening two newly constructed institutions. Savings from this category amounted to $13,800,000. Finally, the State saved money by closure of some institutions and by closure of living units within other institutions. Savings from this category amounted to $9,012,820. Even after all correctional subsidies are deducted, State net savings amount to an estimated $126,000,000.

While the role of the State is envisioned as that of the enabler, the role of local government, notably the counties, is seen as that of the innovator and the deliverer of services. It will be the responsibility of counties to develop resources which heretofore have not been developed, and to assume responsibility for a large number of cases which, in the past, the counties have too easily committed to the State, reasoning fallaciously that such cases "were now the State's problems".

In respect to the above reference, it is important that local communities recognize that the problems of crime and delinquency, like the problems of housing, transportation, and ecology, are responsibilities which cannot be ignored locally. Even under the existing programs, a person committed to a State institution almost always returns to his local community. The view taken by some communities, notably those with "transient" populations, that crime and delinquent acts are committed by "out-of-towners" is nonsensical. When one California community with a sizeable tourist population suggested in the mid 1960's that its juvenile court clients were, most frequently, nonresidents, a statistical survey revealed that the youth who appeared before the local

juvenile court were overwhelmingly: (1) natives of the county, (2) residents of the county, (3) students in local schools, and (4) arrested within the county.[8]

Since crime and delinquency are foremost local problems, and since it is incumbent upon the local jurisdictions to deliver high-quality, adequate services, counties must give consideration to a variety of new resources, among them the following:

1. Creation of facilities, both for youth and adults, which afford a higher degree of security than that presently provided by most juvenile institutions and county jails. The purpose of such facilities should be to handle increasing numbers of offenders traditionally sent to the State, not simply to increase the degree of custody for all offenders.

2. Creation of programs which are more enriched than those normally found in juvenile institutions and county jails. Such programs should take advantage of local resources, should be community-based, and should maximize the inmate's relationship with the free community to which he will ultimately return.

3. Establishment, with State assistance, of high quality training programs for local correctional personnel, including both those who work in institutions and those who provide jail services.

4. Establishment of programs which take advantage of key resources which are uniquely local in nature. Among such resources are local schools, local industries, local service clubs, volunteer groups, and para-professionals who are particularly familar with the environments from which offenders come and to which they ultimately return.

5. Establishment of programs which involve that element which probably has most impact upon the offender, either positively or negatively --the family. Under the present situation, where an offender is often confined hundreds of miles from his own community, such involvement of the family is difficult, if not impossible.

6. Establishment, with other local bodies, of research projects designed to examine the value of correctional programs, and to make improvements where such improvements are justified. A sample of such research might be a joint endeavor by local corrections and local educational departments to strengthen school programs within local institutions.

In summary, it is submitted that the State-county partnership program, as utilized in California for many years, with significant strengthening since 1945, should be expanded and intensified. It is submitted that the State-county partnership program has ample precedent, both in California government (such as in the areas of corrections, education, law enforcement training, and mental health), and in jurisdictions outside of California. It is the

judgment of this study that an intensification of the State-county partnership in corrections will result in increasingly improved delivery of correctional services, increased protection of the public, and will also result in the savings of State expenditures. It is further the judgment of this study that a single consolidated State Department could most effectively and efficiently develop, coordinate, and supply needed supportive services to the counties. A proposed Department of Correctional Services, to carry out these functions, will be discussed in Chapter VII.

Recommendation

17. The State and counties should enter into a new "partnership" with clearly redefined roles and responsibilities. The State should assume the primary overall and enabling responsibility for corrections. This should include subventions and the following services to the counties: consultation; research; training; planning; standard-setting; inspections and enforcement. The State should also provide those few direct services, such as long-term confinement, which the counties are unable to provide. The counties should assume primary responsibility for the delivery of correctional services.

FOOTNOTES

[1]President's Commission on Law Enforcement and Administration of Justice, Task Force Report: Corrections (Washington: U.S. Government Printing Office, 1967), p. 36.

[2]Ibid.

[3]Information made available by the Minnesota State Department of Corrections reveals that 84 of that State's 87 counties receive reimbursement at an approximate rate of 50% for probation services delivered at the county level. The State has also completed a one year study entitled "A Comprehensive Plan for Regional Jailing and Juvenile Detention in Minnesota" and, on the basis of this study, is now considering creation of regional juvenile detention centers and regional jails, to be subsidized by the State at the rate of 50% for construction costs and 50% for maintenance and operational costs.

[4]Information reported by California State Department of Mental Hygiene. The effect of the State-county partnership program is, perhaps, best illustrated by the fact that since 1960, patient populations in California mental hospitals have decreased from 36,853 to an estimated population of 11,230 for 1971. Counseling, budgeting allocations for local community mental health programs have increased to $72,439,000 for the fiscal year 1970-71.

[5]Indiana, Ohio, Colorado, Pennsylvania, New Mexico, Minnesota, Georgia, Virginia, and New York. See, Newsletter, California Council, National Council on Crime and Delinquency, Vol. III (Oakland, July 1968).

[6]Data provided by the California Commission on Peace Officers Standards and Training.

[7]Data provided by California Youth Authority.

[8]Bay Area Social Planning Council, Report on the San Francisco Juvenile Court, Background Document (Oakland, July 1968).

CHAPTER VI

SUBSIDY

I. INTRODUCTION

A major charge to this study was to examine the current allocation of California's correctional dollar, and to suggest a possible re-allocation of such funds. In fiscal year 1969-70, the State spent $150,980,000 on corrections ($134,418,000 of which was for State-operated programs). In the same year, the counties spent $129,070,000 on corrections (this amount increases to $144,316,000 when State subsidies to local programs are added).[1] Throughout the study, concern was voiced that this funding pattern is not consistent with maximum development of those correctional services which are, professionally, the most sound--namely locally-operated, community-based programs, preferably of a field supervision nature.

For example, data furnished by the Bureau of Criminal Statistics in April, 1970, revealed that California had a total of 274,000 persons in the correctional population. Of this number, 193,000 offenders, or 70%, were in programs which most clearly include the key ingredients of local-operation, community-base, and field supervision.[2]

When the financial resources of California corrections were examined, however, it was determined that, of the $280,050,000 correctional dollars spent, only $75,121,000 or 27%, were devoted to such programs. In short, it may be deduced the (1) 70% of California's correctional population are in programs which actually or potentially incorporate such desirable features as local operation, community-base, and field supervision, and (2) only 27% of California's correctional dollar is being spent on the 70% of the Correctional population which is found in the most desirable programs.

Conversely, persons confined in State-operated correctional institutions represent only 12% of the total correctional population, but they consume 42% of the total correctional dollar.[3] The distribution of California's correctional dollar is further illustrated in Table IV.

II. PRESENT SUBSIDY PROGRAMS

Although the present correctional subsidy picture is far from satisfactory, it must be noted that the State has, since 1945, provided counties with financial incentives to establish local programs. The State's subvention efforts have been particularly noteworthy since 1966, when subsidy funds were made available for local field supervision programs. This program has demonstrated tremendous growth, as reflected in Table V. At the same time, however, California's correctional subvention efforts have been subjected to mounting, intense criticisms. The criticisms, voiced primarily and vociferously by local officials, are commonplace, and are not reflective of only a small group of chronic malcontents, nor are they of a partisan nature. It is noted, for example, that criticism of the State's correctional subsidies has existed for at least

TABLE IV

ALLOCATION OF CORRECTIONAL DOLLAR

CATEGORY OF CORRECTIONAL PROGRAM	% OF CORRECTIONAL POPULATION SERVED*	% OF CORRECTIONAL DOLLAR ALLOCATED*	RATIO**
Probation (including day care centers)	70	27	.39
State-operated institutional programs	12	42	3.50
Parole (State-operated)	10	7	.70
Local jails and camps (adult)	5	18	3.60
Local juvenile camps	1	7	7.00

* Does not total 100%, due to rounding off of numbers.

** Represents percent of correctional dollar spent on each percent of correctional population in a given category.

Source: Bureau of Criminal Statistics; California Taxpayer's Association; California Department of Corrections; California Department of Youth Authority.

TABLE V

GROWTH IN PROBATION SUBSIDY PROGRAM

FISCAL YEAR	NO. OF COUNTIES PARTICIPATING	PROGRAM COSTS TO COUNTIES	COUNTY EARNINGS	REDUCED COMMITMENTS TO STATE INSTITUTIONS
1966-67	31	$ 1,632,064	$ 5,675,815	1,451
1967-68	36	4,072,208	9,823,625	2,481
1968-69	41	8,766,667	13,747,910	3,317
1969-70	46	13,292,266	14,200,160	3,557
1970-71	45	15,000,000 est.	18,833,685 est.*	4,681 est.
1971-72 est.	46 est.	20,500,000 est.	---	---

* Based on six-month projection.

Source: Community Services Division, Department of Youth Authority.

15 years, under both Republican and Democratic administrations. Between September and December 1970, study staff interviewed Superior Court Presiding Judges, County Supervisors (normally the Board Chairman), and County Administrative Officers in the 15 counties selected for examination. Almost without exception, these local officials, especially the Supervisors and County Administrative Officers, expressed a recurring theme of growing resentment and distrust of the State government. They pointed out that the State has saved large sums of monies through the probation subsidy program, but had denied the counties any increase in correctional subsidy rates. They also noted that some jurisdictions had already withdrawn from State-county "partnership" programs, and suggested that other jurisdictions would soon do likewise unless the subsidy pattern was altered. In response to a questionnaire by a recent State-county task force on subsidy, only 57% of the counties indicated that they planned to carry out the 1970-71 probation subsidy program at the level submitted to the State. Seventy percent of the counties reported that they would not utilize county funds to support, either partially or fully, the continuation of special supervision units which had originally been established through State subsidies.[4]

Other seemingly valid complaints voiced by local officials included the following:

1. The current probation subsidy program has a built-in inequity, in that it discriminates against those jurisdictions whose commitment rates to State institutions were low during the base years (either 1959-63 or 1962-63).

2. The payment Table of probation subsidy has not been adjusted since the inception of the program in 1966, despite inflationary costs of operating local programs (conservatively estimated at 30% to 40%).

3. Counties have only one year in which to use probation subsidy earnings (this has resulted in approximately $3,000,000 in earnings going unused by the counties).

4. County probation departments are in a position to exercise little or no control over some factors (such as a series of extremely serious offenses or changes in sentencing practices) which directly or indirectly determine the county's commitment rate, and, in turn, the earnings which accrue to the probation department.

5. Maintenance and operation allowances for local juvenile institutions are restricted to the $95 per month per ward set in 1957, despite the fact that the statewide average cost per ward per month is $547,[5] and despite the Legislature's intent in 1957 that the State should pay 50% of the actual costs.

In essence, California's current correctional subvention efforts represent a paradox. On the one hand, they are used advantageously by 46 counties and are regarded by most authorities as among the most innovative, imaginative,

and progressive correctional endeavors extant. They have encouraged correctional growth in the most desirable sphere--namely field supervision and locally-operated institutions, and have, at the same time resulted in a marked reduction in commitments to State-operated institutions plus an estimated net savings to the State of $126,000,000 between 1966 and 1972.[6] On the other hand, they are the subject of increasing disenchantment by local officials, and from the vantagepoint of a corrections system, they serve to improve only two segments of the local correctional labyrinth, viz. probation supervision and juvenile institutions. Among segments which are not subsidized are probation investigation, county jails, honor camps, half-way houses, or work furlough programs. Repeatedly, Legislative attempts to correct the deficiencies have not succeeded.

III. A NEW CORRECTIONAL SUBSIDY

It is the judgment of this study that, although the subsidy concept inaugurated by the State in 1945 and greatly expanded in 1966 was an important and appropriate movement, it will not be adequate for California in the 1970's. It is suggested that California should adopt a more-encompassing corrections subsidy program, which will not only provide more equitable subvention for currently covered programs, but will also assist additional segments of the local correctional system and set priorities for funding all segments. It is urged that a true "partnership" be developed between the State and counties, and, that in addition to the funding of local programs by the State, counties should also reimburse the State for a large part of the care, custody and treatment of those offenders for whom there is no alternative other than a State-operated correctional institution. Finally, it is urged that the new corrections subsidy be reviewed and revised annually. The following sections will deal with the priorities of the subsidy plan proposed by this study, related considerations, present and projected costs, and summary observations.

Priorities

Data collected by study staff suggest that the following priorities be adopted by the State in establishing a new correctional subsidy program. The priorities are designed to provide effective assistance to the entire gamut of local corrections and to encourage development of local, community-based field service and institutional programs.

I. PROBATION (investigation and supervision), including probation-operated non-residential facilities or programs (such as day care centers), but not juvenile halls.

   Such operations should be subsidized at the rate of 75% by the State.

II. LOCAL "OPEN" INSTITUTIONS, where the offender resides in the institution but has almost daily contact with the community. Some examples are adult work-furlough units and juveni e institutional programs where the minor attends school in the community.

These operations should be subsidized at the rate of 60% by the State.

III. LOCAL "CLOSED" INSTITUTIONS, which, despite their "closed" nature, are short-term (i.e. offenders can not be committed to them for more than six months) and community-based (i.e. they are located in or immediately adjacent to the communities they serve and they involve a high degree of interaction with the community, e.g. with volunteers, service clubs, mental health services, educational and vocational resources).

These operations should be subsidized at the rate of 40% by the State.

IV. OTHER LOCAL INSTITUTIONS, i.e. those which are not short-term or community-based as defined above. This would include traditional jails and juvenile forestry camps.

These operations should be subsidized at the rate of 25% by the State.

Additional Considerations

1. It is believed that all programs subsidized by the State must be approved, in advance, by the State, as is presently the case in probation subsidy, and must adhere to minimum standards, to be developed by the State in cooperation with the counties, and to be enforced by the State. This approach is supported not only by State officials, but also by 76% of the presiding judges, county supervisors and county administrators interviewed.

2. A program of this nature will require counties to inaugurate new institutional programs, and, in some cases, new facilities with which to deliver local correctional services. When new institutions are necessary or desirable, counties should avail themselves of State and Federal funding with which to construct such facilities. Those counties, whose correctional population is not sufficiently large to justify a new institution, should immediately explore the possibility of joint efforts with other counties either in the erection of regional facilities, or in the contractual use of one facility by several counties. To obtain financial assistance in developing new facilities, the counties are encouraged to utilize the existing juvenile institutions construction subsidy, authorized by Section 891 of the Welfare and Institutions Code and the similar subsidy authorized (though not yet funded) by Section 1860 W & I Code

for Youth Correctional Centers. More importantly, counties are encouraged to take advantage of recent amendments to U.S. Public Law 90-351, Section 451, which reads as follows:

> "It is the purpose of this part to encourage States and units of general local government to develop and implement programs and projects for the construction and renovation of correctional institutions and facilities, and for the improvement of correctional programs and practices."[7] (emphasis added.)

The California Council on Criminal Justice is likewise urged to provide funding and encouragement for the development of such local facilities.

3. It is believed that participation in the new corrections subsidy program should be permissive for a period of three to five years, during which time counties will have the opportunity to develop or expand local correctional resources. After the three to five year period, county participation in the program should be mandatory.

4. Since a major discontent with present subsidy programs stems from a lack of periodic re-evaluation and revision, it is felt that the new corrections subsidy endeavor should be reviewed and revised annually by the proposed State Department of Correctional Services, in cooperation with the Corrections Advisory Committee (described in Chapter VII), whose members should include representatives of local government. This re-evaluation and revision of costs should be mandatory, not permissive as is currently the case.

5. For those cases which local jurisdictions wish to commit to State institutions, whether juvenile or adult, the counties should reimburse the State at a rate of 75% of a "career cost". The "career cost" should be based upon actual cost to the State for an average period of institutional care and parole supervision. This average "career cost" would be paid to the State at the time of commitment. If a county, by contract with the State, provides its own parole services in conformity with State standards, it would then pay the State for institutional "career costs" only. However, the State would not subsidize county supervision of parolees.

The determination of "career costs", based on 1969-70 data, is illustrated as follows:

Youth institutions and parole:

a. The annual per capita cost of institutional care in a Youth Authority facility is currently $6,371.

b. The average stay in an institution for a committed youth is 9 months, thus the pro-rated cost to the county for institutional care would be $4,778.

c. The annual per capita cost for youth parole is $580.

d. The average stay on youth parole is 20 months, thus the prorated cost to the county for parole would be $967.

e. The "career cost" to the county would be the sum of (b) and (d), or $5,745.

Adult institutions and parole:

a. The annual per capita cost of institutional care in a Department of Corrections prison facility is currently $3,070 ($2,519 in the civil narcotic facilities).

b. The average stay in such an institution is 35 months (11 months in CRC); thus the prorated cost to the county for such institutional care would be $8,964 for felons (and $2,317 for civil addicts).

c. The annual per capita cost for adult parole (CDC AND CRC combined) is $661.

d. The average stay on adult parole is 25 months, thus the prorated cost to the county for parole would be $1,377.

e. The "career cost" to the county would be the sum of (b) and (d), or $10,341 for felons and $3,694 for civil addicts.

6. In those instances where the county wishes, it may, with the consent of the State and in conformity with State standards, contract with the State for State provision of probation services, in which case the county would be charged 25% of the operational cost.

Costs: Present and Projected

Table VI shows the actual costs, for the State and counties, in 1969-70, for those correctional programs which would be encompassed by the proposed subsidy plan. The counties paid the bulk of these costs, $135,522,000, augmented by $16,562,000 in subsidies from the State. Table VI also indicates the proportional sharing that would have occurred under the plan proposed by the System Task Force. The most obvious and significant fact is that the State would have paid more than half of the costs for these programs. However, Table VII reveals the other side of this "partnership" arrangement, in which the counties would now pay 75% of the career costs for commitments to the State. Table VIII applies these projected costs to the total county and State costs for direct correctional services in 1969-70. It may be seen that the total costs under either the actual or proposed program are exactly the same ($271,256,000), and that State and county shares of the actual costs for that year are nearly the same as they would have been under the proposed plan. The major difference is that the counties would have paid 1% (approximately $2,424,000) more of the total correctional burden; whereas the counties actually

TABLE VI

1969-70 LOCAL CORRECTIONAL SERVICES
(ACTUAL AND PROJECTED COSTS*)

CATEGORY	ACTUAL 1969-70 COSTS		PROJECTED COSTS FOR 1969-70	
	COUNTY	STATE**	COUNTY	STATE
I. PROBATION			(25%)	(75%)
Supervision & investigation	$ 74,650,000	$ 13,292,000	$ 18,663,000	$ 55,988,000
Day care centers	471,000		118,000	353,000
II. OPEN INSTITUTIONS			(40%)	(60%)
Juvenile facilities	597,000		239,000	358,000
Work furlough	388,000		155,000	233,000
III. CLOSED INSTITUTIONS (short-term and community-based)			(60%)	(40%)
Juvenile facilities	3,219,000		1,931,000	1,288,000
IV. OTHER INSTITUTIONS			(75%)	(25%)
Juvenile facilities	16,363,000	3,270,000***	12,272,000	4,091,000
Jails	39,834,000		29,876,000	9,959,000
GRAND TOTALS	$135,522,000	$ 16,562,000	$ 63,254,000	$ 72,270,000

* All figures rounded to nearest thousand.
** These figures are State subsidies which offset some of the county costs in column one -- they are not additional costs.
*** This figure represents the total subsidy for all juvenile facilities, including those in categories I - III.

TABLE VII

1969-70 FIRST COMMITMENTS TO STATE
(ACTUAL AND PROJECTED COSTS*)

CATEGORY	ACTUAL 1969-70 COSTS COUNTY	ACTUAL 1969-70 COSTS STATE	PROJECTED COSTS FOR 1969-70 COUNTY (75%)	PROJECTED COSTS FOR 1969-70 STATE (25%)
I. CYA INSTIUTIONS: $6,371 annual per capita cost X 9 months average stay = $4,778 X 4,201 first commitments.	$ 1,316,000 (Total reimbursement to CYA)	$20,072,000	$15,054,000	$ 5,018,000
II. CYA PAROLE: $580 annual per capita cost X 20 months average stay = $967 X 4,659 first paroles.		4,505,000	3,378,000	1,126,000
III. CDC INSTITUTIONS (EXCLUDING CRC) $3,070 annual per capita cost X 35 months average stay = $8,964 X 4,907 first commitments.		43,986,000	32,990,000	10,997,000
IIIa. CRC INSTITUTIONS $2,519 annual per capita cost X 11 months average stay = $2,317 X 2,238 first commitments.		5,185,000	3,889,000	1,296,000
IV. CDC PAROLE: $661 annual per capita cost X 25 months average stay = $1,375 X 4,021 first paroles.		5,529,000	4,147,000	1,382,000
GRAND TOTALS	$ 1,316,000	$79,277,000	$59,458,000	$19,819,000

* All figures rounded to nearest thousand.

TABLE VIII

1969-70 TOTAL ACTUAL AND PROJECTED COSTS
OF STATE AND COUNTIES*

I. STATE COSTS:		
A) ACTUAL TOTAL COSTS:		
CYA Institutions		$ 33,893,000
CYA Parole		7,979,000
CDC Institutions		83,238,000
CDC Parole		10,624,000
CYA Subsidies to Counties (probation and camps)	+	16,562,000
TOTAL		$152,296,000
County Reimbursement to State ($25 per ward per month to CYA)	-	1,316,000
TOTAL STATE ACTUAL COSTS: 1969-70		$150,980,000
B) PROJECTED COSTS:		
Projected County Payments to State (for new commitments)	-	59,458,000
		91,522,000
Projected State Subsidy to Counties	+	72,270,000
		163,792,000
State Subsidy to Counties: 1969-70 (State will no longer pay this)	-	16,562,000
		147,230,000
County Payment to State: 1969-70 (State will no longer receive this)	+	1,316,000
TOTAL STATE PROJECTED COSTS		$148,546,000

TABLE VIII (Continued)

II. COUNTY COSTS:

A) ACTUAL TOTAL COSTS: (See Table VI for breakdown)		$135,522,000
County Reimbursement to State ($25 per ward per month to CYA)	+	1,316,000
		$136,838,000
State Subsidy to Counties: 1969-70 (probation and camps)	-	16,562,000
TOTAL COUNTY ACTUAL COSTS: 1969-70		$120,276,000
B) PROJECTED COSTS:		
Projected State Subsidy to Counties	-	72,270,000
		48,006,000
Projected County Payments to State (for new commitments)	+	59,458,000
		107,464,000
County Payment to State: 1969-70 (County will no longer pay this)	-	1,316,000
		106,148,000
State Subsidy to Counties: 1969-70 (County will no longer receive this)	+	16,562,000
TOTAL COUNTY PROJECTED COSTS		$122,710,000

III. COST COMPARISON

	STATE	COUNTIES
ACTUAL COSTS	$150,980,000 (56%)	$120,276,000 (44%)
PROJECTED COSTS	$148,546,000 (55%)	$122,710,000 (45%)

* All figures rounded to nearest thousand.

paid 44% and the State 56% of total costs, they would have paid 45% under the proposed plan. This indicates that, if the counties continue to make correctional decisions and operate correctional programs as they have done traditionally, they would probably pay somewhat more money. Appendix C shows this in more detail for the 15 study counties. However, as the bottom of Appendix C reveals for three sample counties, a decrease or increase in commitments to the State will alter their share of the overall correctional costs considerably. Additionally, the counties can save further money by dealing with more offenders in higher priority types of programs, e.g. on probation instead of in institutions, thus receiving a higher rate of subsidization from the State.

Comments

Although the existing probation subsidy program has been criticized within the field of corrections and elsewhere, three observations are inescapable: (1) the probation subsidy program has been among the most innovative, far-reaching concepts in California corrections; (2) it has demonstrated that community-treatment of offenders can produce positive results; (3) it has shown that a financial incentive, combined with consultation, can effectively alter traditional methods of coping with some "hard core" offenders. It is the judgment of this study that community-oriented treatment of the offender must now be expanded to include many more segments of the State's correctional population.

It is anticipated that, as local communities design and develop locally-operated facilities, the commitments to State-operated institutions will continue to decrease; it is particularly noteworthy that the State's most populous county (which provides the State with approximately 37% of its commitments[8]) has initiated a management by objectives approach in setting goals which have been effective in reducing commitments. Other counties are also seriously attempting to reduce commitments as sharply as possible.

It is believed that, as commitments to State institutions continue to decrease, the State will be able to close additional facilities, or parts of facilities. As institutions are reduced in number (it is not anticipated that they will ever be totally eradicated since the State will have an ongoing responsibility to operate some high security facilities), several things must occur.

First of all, the savings accrued from the closure of institutions, as well as savings which are expected to accrue from the consolidation of the California Youth Authority and the California Department of Corrections into a Department of Correctional Services, should be utilized to strengthen the State's ability to provide statewide "enabling" correctional services, such as training, research, consultation, coordination, public education, etc. As facilities are closed, the State should also seek to sell the institutions to other governmental entities; some likely purchasers might include a county (or group of counties) or the Federal government (it is understood that the Federal government is now seeking a site for a youth

facility in California). Monies realized from such sales should likewise be utilized by the State to enrich the "enabling" correctional programs.

Additionally, if the new program is to succeed and not be subject to the same criticisms directed against existing correctional subsidy programs, there must be annual review and revision of allocations to local jurisdictions, as well as the same periodic review and revisions of charges assessed the counties for the care and treatment of persons committed to State institutions.

Finally, and most importantly, any savings which emanate from the continued reduction of commitments to State institutions must become sequestered or reserved for the field of corrections. It is acknowledged that the concept of "sequestered funding" is not generally favored by governmental fiscal authorities, although the State has several present examples of such "sequestering" (e.g. highway funds which, by law, must be used for highway purposes; fish and game funds which must be used in that field; etc.). Stated most simply, the field of corrections cannot succeed if savings from the field are allowed to revert to the General Fund or are in any other fashion diverted from corrections.

Summary

It is submitted that a re-allocation of the statewide correctional dollar is long overdue, and that the thrust of corrections in the future must be to generate and expand locally-operated, community-based correctional programs--those very programs which, according to modern correctional thought, are the most progressive and productive.

Under the proposal advanced by this study, counties will be encouraged to develop and operate such local programs; as local programs emerge and begin to absorb an increasing number of offenders, there will be fewer commitments to State-operated institutions.

The State will, accordingly, withdraw to a large extent from the provision of direct services, and will, concurrently, expand provision of "enabling" services.

It must be acknowledged that during the transition stage of the new program, some additional costs will fall to the State, due to expenses for those already committed to the State in past years. There is no known way in which these transitional costs can be accurately predicted, but it is urged that funding be sought from the Federal government to assist the State in meeting these costs, and that in the event such Federal funds are not forthcoming, consideration should be given to the estimated $126,000,000 net savings which have accrued to the State since 1966, as a result of probation subsidy.

Recommendations

18. It is recommended that Legislation be introduced to accomplish the following:

a. Express the intent of the State to assume its appropriate overall responsibility for corrections in California.

b. Rescind the current probation subsidy program and subsidies for the maintenance and operation of programs in local juvenile institutions.

c. Create a new, broader-scope correctional subsidy program, to serve all facets of local corrections, to include mandatory local participation within 3 - 5 years, and to provide a priority for funding as follows:

Probation and probation-operated non-residential facilities and programs...to be subsidized by the State at the rate of 75%.

Local "Open" Institutions, to consist of residential programs where the offender has almost daily contact with the community ...to be subsidized by the State at a rate of 60%.

Local "Closed" Institutions, which are short-term and community-based in nature. Confinement in such facilities shall be less than six months, and the facilities must be within or immediately adjacent to the community served...and must also involve a high degree of interaction with community resources...to be subsidized by the State at the rate of 40%.

Other local institutions...to be subsidized by the State at the rate of 25%.

d. Create a reimbursement program whereby the counties pay the State 75% of "career costs" for each person committed to State-operated correctional institutions.

e. Require that the new correctional subsidy program be reviewed and revised annually.

19. It is recommended that the proposed State Department of Correctional Services, in cooperation with the counties, develop minimum standards for all local corrections, and that adherence to such standards be mandatory for local participation in the correctional subsidy program. It is further recommended that the State enforce such standards.

20. It is recommended that local jurisdictions begin immediately to develop new programs and new facilities, either indiviaually, or in concert with other counties.

21. It is recommended that, in order to develop new facilities, counties primarily seek Federal funding as authorized by P.L. 90-351, Section 451, and that counties secondarily seek funding authorized by Sections 891 and 1860 of the W & I Code.

22. It is recommended that, in the event commitments to State institutions continue to decline, efforts be made by the State to sell the facilities to other governmental entities, including the Federal government.

23. It is recommended that all savings realized from the closure of State facilities, or otherwise realized from a revamping of correctional services, be sequestered for use in the field of corrections.

24. It is recommended that the State seek from the Federal government funds, the amount of which cannot presently be accurately determined, but which will be necessary to augment the State's correctional budget during the first year of operation under the new corrections subsidy program. In the event Federal funds are not forthcoming, it is recommended that consideration be given to the use of the estimated $126,000,000 net savings which have accrued to the State since 1966, as a result of probation subsidy.

FOOTNOTES

[1]Data provided by California Taxpayer's Association, California Youth Authority, California Department of Corrections, California Department of Finance, San Mateo County Sheriff's Department, and San Diego County Department of Honor Camps.

[2]Data provided by Department of Justice, Bureau of Criminal Statistics, State of California.

[3]Data provided by California Taxpayer's Association; California Department of Corrections; and California Department of Youth Authority.

[4]Department of Youth Authority, State Aid for Probation Services, State of California (Sacramento, July 1970), pp. 30-31.

[5]Department of Youth Authority, Average Length of Stay, Costs, and Bed Capacity of County Operations, Juvenile Homes, Ranches and Camps, State of California (Sacramento, March 18, 1971).

[6]Data provided by Department of Youth Authority, Community Services Division, State of California (Sacramento, April 1971).

[7]California Council on Criminal Justice, Sacramento, Memorandum April 28, 1971.

[8]Department of Youth Authority, State Aid for Probation Services, State of California (Sacramento, October 1970), Appendix C, pp. 5 and 16.

CHAPTER VII

THE DEPARTMENT OF CORRECTIONAL SERVICES

Chapters IV through VI of this Report presented the two fundamental recommendations of this study: (1) the bulk of correctional services should be moved to the local or county level, and (2) the State, through a new consolidated Department of Correctional Services and a revised subsidy program, should play a much stronger supportive and enabling role within the correctional system. Although the essential rationale and respective missions of county correctional organizations and the proposed Department of Correctional Services were also discussed, the intention of this chapter is to present a brief description of how the Department of Correctional Services might be organized and how it might be involved in the overall delivery of correctional programs in the State.

I. CONSOLIDATION OF SERVICES

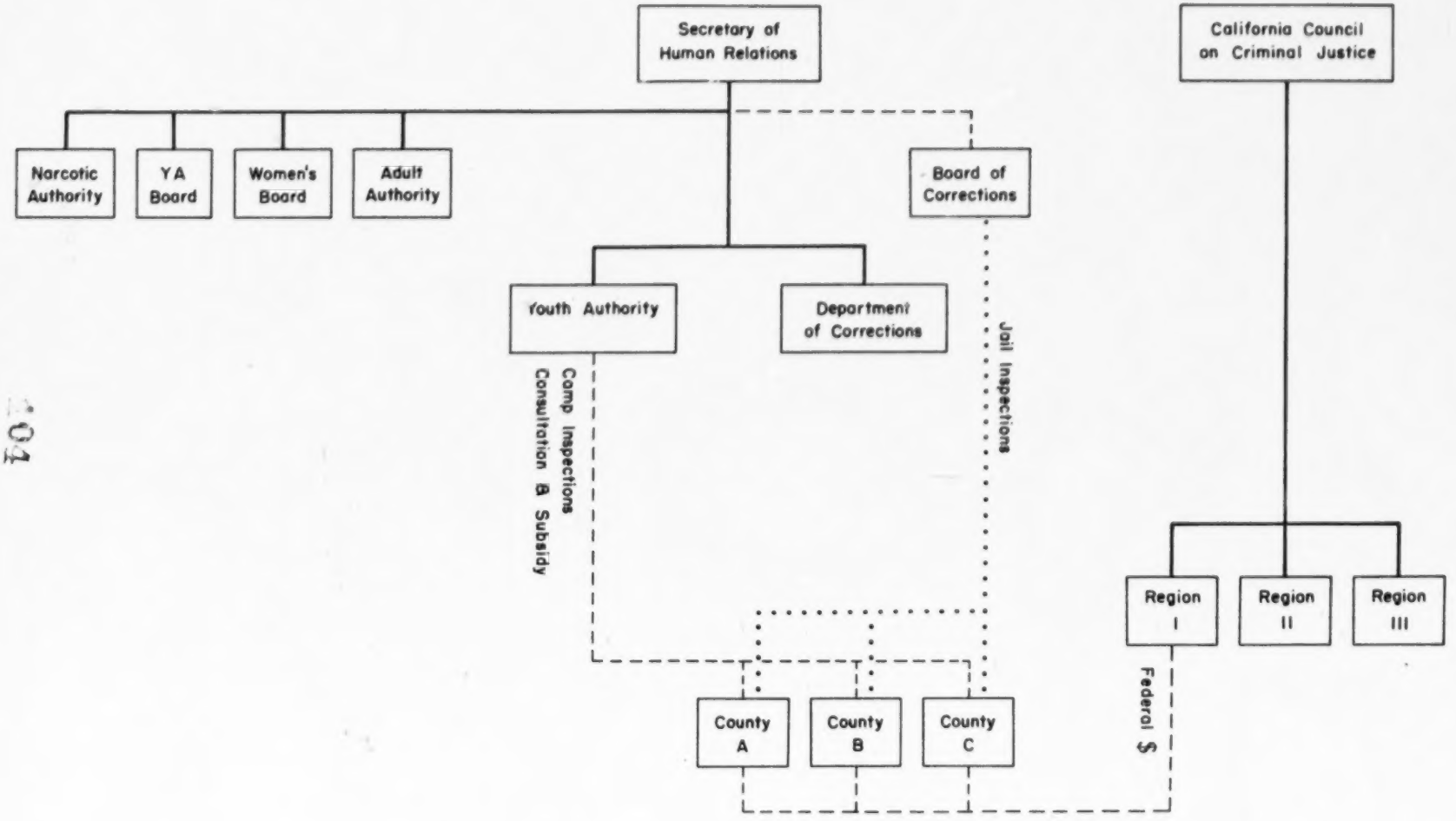
The concept of a single consolidated department dealing with all correctional services is not new to the American correctional scene, nor for that matter to the State of California. The Prison Reorganization Act of 1944 supported the concept of a single department of corrections which could provide a coordinated program of services.[1] Between 1944 and 1953, the Youth Authority was legally and generically a part of the Department of Corrections, although the Director of Corrections had no administrative authority over the Director and Chairman of the Youth Authority, and the Youth Authority operated essentially as a separate department. In 1953, the law was amended to make the Youth Authority legally and operatively independent.

Further, the creation of the Youth and Adult Corrections Agency in 1961 was another indication in California history of the position that there should be a single administrative unit responsible for the coordination of the total State correctional effort. Finally, in 1968 the Youth Authority and Department of Corrections were made part of the larger Human Relations Agency, reflecting the need to coordinate corrections with larger concerns involving criminal justice and social services.

Chart I portrays, in simplified terms, the current California correctional organization at the State level. Not presented on this chart is any representation of the large number of service components and operational units existing within both the Youth Authority and the Department of Corrections. But the chart does indicate that there are a large number of organizational units at the State level which have responsibility in the correctional field. If the State of California commits itself to moving direct program delivery to the county or community level and to redefining the State's role as an enabler, there is good reason to question the wisdom of continuing with this present organizational structure.

CHART I

CALIFORNIA CORRECTIONAL ORGANIZATION TODAY



There is increasing support being shown for consolidating separate youth and adult departments into a Department of Correctional Services. For example the President's Commission on Law Enforcement and Administration of Criminal Justice, a 1969 study by the State of Illinois, and a 1970 study from the Commonwealth of Pennsylvania, all have supported this notion, and a number of states have already begun to consolidate correctional services and departments. Among the gains which might be realized through consolidation are:

1. Reduction of competition between juvenile and adult services.
2. Increased transferability of staff with a resultant increase of the staff's professional experience and expertise.
3. Consolidation of training programs and expansion of these programs.
4. Increased coordination between adult and juvenile components.
5. Increased program flexibility.
6. Improved recruitment opportunities.
7. Better administrative control.
8. Increased ability to secure financial support for correctional services.
9. Financial savings which could be spent on improved services.
10. Consolidation and coordination of many staff services, such as research, personnel, accounting.
11. The development of a common correctional mission and of common objectives, strategies, and techniques.
12. Resulting from all of the above, a more integrated and more effective system of State-level corrections.

At the same time, however, there are many persons within the field of corrections who favor retaining the bifurcated system such as currently exists in California. Those who are in favor of keeping the CYA separate from the CDC advance the following arguments:

1. In a consolidated department, the services to youth, which has no "lobby", may be overwhelmed by demands for adult services.
2. Agencies which work with youth are, by their very nature, different from adult-oriented agencies; youth have different problems from adults.
3. The consolidation of adult and juvenile departments by the State might result in a mammoth, unwieldy department.

4. Competition between adult and juvenile departments is healthy.

5. "Bigness" of an agency does not automatically assure increased efficiency.

6. There is strategic budgetary effect in having separate departments, which submit separate budgets.

7. Staff assignments are often made on a ratio basis (e.g., one personnel technician per 1000 staff members); so there would be no great staff savings from consolidation.

In the view of this study, there exist not only the traditional arguments favoring consolidation and the growing national support for combining youth and adult services, but some very specific and critical reasons why California should reorganize its State correctional apparatus in this manner. First of all, the local camp subsidy, and particularly the probation subsidy, have made it increasingly clear in the past several years that the counties are both willing and able to handle more and more offenders at the local level--provided they are supplied with the necessary financial assistance and supportive services. As was discussed in Chapters IV and V, this is compatible with the direction that corrections should take, viz. moving responsibility for direct delivery of services to the local level. Hence, the future of the State correctional organization would appear to be a reduction of direct client services, i.e. institutions and parole. However, on the other hand, the State will need to become far more active, efficient, and effective in providing supportive and enabling services to the local jurisdictions.

It is this second point, viz. the new nature required of State-level corrections, that argues most strongly for a consolidation of resources and a coordination of efforts. The System Task Force believes that combination of the resources and capabilities of the present Youth Authority and Department of Corrections in a single new organization will not only facilitate, but will be absolutely essential to the State's fulfilling its role as the overall enabler in the provision of correctional services. In brief, by consolidation of available resources, the State could more effectively provide supportive services to local agencies and communities. At the same time, it could, by coordinating and sharing existing tools and efforts, more efficiently provide direct services to those offenders committed to the State. The financial savings which could be realized (Task Force staff were informed that the 1970 consolidation in Illinois brought a first year savings of approximately $500,000)[2] are an important added consideration, but consolidation should be viewed primarily as an opportunity for the State to provide a more effective correctional operation without an accompanying budgetary increase.

In summary, consolidation of youth and adult services at the State level (as has already been done in 56 of California's 58 counties) has some risks. It will initially result in a larger department; however, as counties are enabled to handle more and more offenders locally, the size of the new department should reduce in size (as the separate departments are now doing). Consolidation may threaten some of the special concerns and interests related

to youths and adults separately, although it would also provide the opportunity to share the "best" of both systems and to develop a common mission and strategy for all of corrections. The principle danger perceived by Task Force staff would be the possibility of simply replicating the same organizational structure, style, and nature which currently exist within the two State departments. Hence, the most crucial and formidable challenge would be to alter the nature of the new organization, so that its new role would not be stifled. This will depend greatly on the new director and his top administrative staff, and will demand from all levels of personnel a strong, genuine commitment to change that will enable the State to most effectively carry out those responsibilities critical to corrections in the 1970's and beyond.

Recommendation

25. *The State should consolidate the present Youth Authority and Department of Corrections into a single organization to be known as the Department of Correctional Services.*

II. THE CONSOLIDATED DEPARTMENT

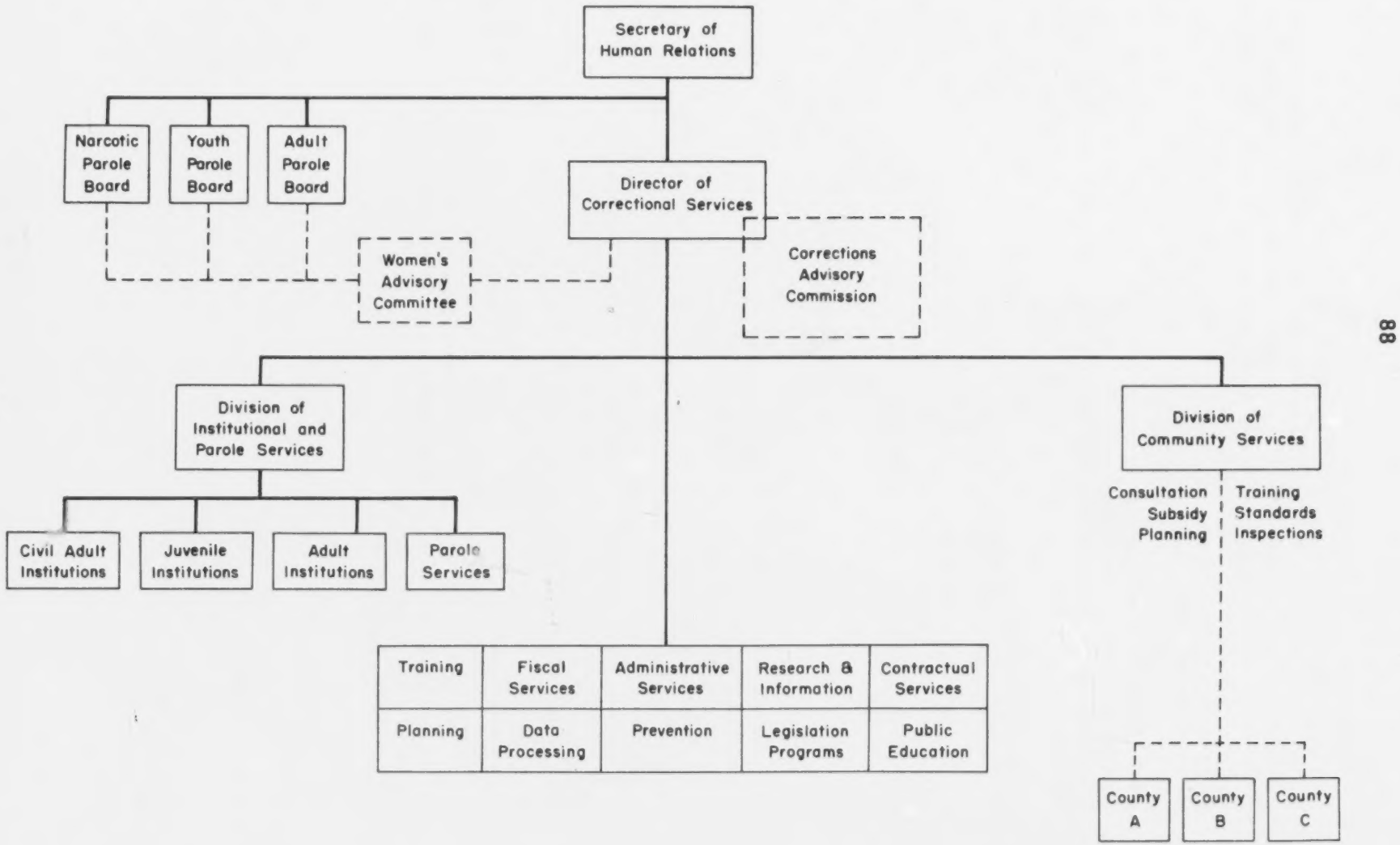
Chart II presents the basic design recommended for the Department of Correctional Services in the State of California. In broad outline it is recommended that the Department of Correctional Services be composed of three basic components. The first of these is the Division of Institutional and Parole Services. This division would have responsibility for the operation of those direct correctional services which would continue to be offered by the State. As indicated in Chapter IV, it is envisioned that the number of such services will be radically reduced as counties are able to develop alternative programs. The second major division of the new department is the Division of Community Services. This division would have responsibility for working with the local correctional agencies in the discharge of the State's responsibility for insuring effective delivery of correctional programs. Finally, the third major component of the Department would be the specialized staff services. The ten areas of service shown in Chart II would be provided to the Division of Institutional and Parole Services, the Division of Community Services, the county correctional agencies and other bodies involved in the correctional enterprise.

Institutional and Parole Services

As indicated earlier, it would appear that the need for the State to directly deliver correctional services will be drastically reduced. The great bulk of the correctional services would then be delivered at the community level; the State would operate only those services which cannot be effectively and economically operated at the local level. To achieve this end, four operative organizations would be required.

CHART II

PROPOSED STATE DEPARTMENT OF CORRECTIONAL SERVICES



It would be necessary to continue the operation of a few juvenile and adult institutions. These institutions should be small facilities, offering highly specialized services unavailable at the local community level. Although it will be necessary to develop an empirical base for the actual decisions regarding the character of these small and specialized institutions, it is hypothesized that such institutions would involve intensive security for that small number of offenders requiring a maximum of security in order to insure the protection of society. Further, it is felt that there will be a need for highly specialized medical-psychiatric institutions for offenders who are particularly disturbed or in need of medical-psychiatric care not available in other institutional settings or in the local community.

Although the System Task Force envisions a continuation and expansion of programs dealing with the narcotics problem at the community level, it is anticipated that there will be a continued need for the Department of Correctional Services to offer narcotic treatment porgrams for civil adult commitments to its institutions. Thus the Division of Institutional and Parole Services is foreseen as continuing to include a component similar to the current California Rehabilitation Center and Narcotic Addict Outpatient Program.

Finally, an after-care capability will be required to handle the release and return of individuals from State institutions back into the local community. It is recommended that the existing Youth Authority and Department of Corrections parole programs be merged to form a single parole services component. This envisioned parole component would have the capability of working directly with the State-operated institutions and with the local communities in insuring effective delivery of after-care services. In the Parole Task Force Report, it was recommended that permissive legislation be enacted allowing the State and individual counties to contract with each other for the actual delivery of after-care services. It is too early to speculate how extensively this might be carried out and what the size of the needed parole services component would be.

It should be stressed that creation of this new Division of Institutional and Parole Services is not intended to separate institutions from parole, but rather to bring them closer together by combining them in one division. This has been the direction taken by both the Youth Authority and Department of Corrections in the recent past, and it should certainly be continued. Placing all direct services in a single division should provide the commonality and flexibility to experiment with a variety of programs geared at maximizing the integration between institution and parole.

Division of Community Services

The responsibility of the Division of Community Services would be essentially that of working with the county correctional agencies to insure that the correctional programs are delivered as effectively as possible. This division would have the responsibility for developing, in cooperation with local agencies, standards for all correctional programs. Further, it would require the capability of inspecting and enforcing these standards in local operations.

One of the most crucial responsibilities of the division would be that of planning, consultation and training. In conjunction with the specialized services of the proposed Department, this division would be charged with developing plans for correctional and prevention programs which it could offer to the counties of the State with the aim of assisting them in the development and modification of such programs. A consultative capacility would be required not only for the purpose of delivering and discussing such plans, but also for providing the expertise needed to assist the counties in meeting their problems, both immediately and in the future. Finally, as indicated earlier, the State would have the responsibility for developing a training capability to insure the existence and continuation of a truly effective cadre of correctional workers.

Since it has been consistently argued throughout this Report that the State has the basic responsibility for insuring the financial base for correctional programs, it would be the responsibility of this division to develop, monitor, and modify the subsidy program discussed in Chapter VI.

Obviously, this Division of Community Services will have the greatest needs for increased manpower and resources since it will have the major responsibility for developing and carrying out the State's new role in corrections.

Specialized Staff Services

The Division of Institutional and Parole Services would provide direct service to clients committed to the State. The Division of Community Services would provide service to local correctional agencies. Both of these divisions would need a variety of highly specialized resources and capabilities upon which they could draw. These highly specialized services should be readily available, i.e. not have to be obtained via a lengthy "red tape" chain-of-command process. Hence, it is suggested that such specialists be directly responsible to the Director of the Department of Correctional Services who would have direct access to them and who could immediately assign them where needed.

A fundamental principle which should govern the creation and operation of these specialized units is that they must be flexible and adaptive--to the point of radical modification or "self-destruction" when appropriate. It is absolutely essential that they not become outmoded "fixtures" or "resting places" for ineffective or "semi-retired" staff. Rather, these units or individuals should be the most knowledgeable and capable in the Department within their areas of specialty.

Chart II lists ten units based on needs discovered by the System Task Force. These include: training, fiscal services, administrative services, research and information, contractual services, planning, data processing, prevention, legislative programs, and public education. However, it must be stressed that these needs or units are by no means exclusive, nor is it suggested that they are permanent. These units should be combined, modified, or eliminated and new ones created whenever appropriate.

It is envisioned that these specialized units or individuals would function in a manner suggested by the CO-ACT model for training which was discussed in Chapter IV. They would not only develop their own skills and resources but would also, to the degree possible, coordinate the resources available throughout the correctional system and private sector. For example, if a Community Services consultant was asked by a specific county to assist in developing a local program of delinquency prevention or public education, he should be able to go to those State staff who are experts in these areas and elicit help either from them directly or from prevention or education experts who may exist in a neighboring correctional agency or be available on a contract basis from the private sector. A similar process would be followed by State institutional or parole staff who need these resources.

Recommendation

26. The Department of Correctional Services should consist of three basic components:

a. The Division of Institutional and Parole Services

b. The Division of Community Services

c. A series of specialized staff service units

III. PAROLING BOARDS

At the present time the State has four paroling authorities. The Parole Task Force Report recommended that consideration be given to incorporating the functions of the Women's Board of Terms and Parole into a reconstituted Adult Parole Board. It is recognized that there are particular problems that relate to the adult female offender which require sensitive treatment on the part of the Department. Thus, if the above incorporation occurs, a special Women's Advisory Committee should be established to advise the Director of Correctional Services and all the boards on matters pertaining to female offenders.

For clarification, the Parole Task Force also recommended that the existing boards be renamed the Adult Parole Board, Youth Parole Board, and Narcotic Parole Board. The System Task Force wishes to emphasize the responsibility of these boards relative to the new correctional system proposed for California. Assuming that only the most serious offenders will be committed to the State, the boards obviously will have an obligation to retain inmates who are highly dangerous to the community. However, they also have the responsibility of releasing individuals on parole as soon as it is reasonably consistent with the protection of society. Given the negative effects and high costs of institutions stressed by the various Task Force Reports and the fact that lengthy confinement does not normally increase the chances of rehabilitation or increase recidivism rates, the "burden of proof" should be

on the boards to justify retention of individuals in custody after any minimum periods prescribed by law or beyond any points supported by empirical data.

IV. BOARD OF CORRECTIONS

The Board of Corrections was created by statute in 1944. Its responsibilities have included legislation, jail inspection, review and recommendations of plans for jail facilities, setting jail standards, conducting studies and establishing special crime study commissions. However, the System Task Force has found that the Board of Corrections, at the present time, is serving a very limited function which could be better served in other ways. Task Force staff interviewed Board members between November, 1970 and January, 1971, and determined, for example, that during the past year the Board has met only on infrequent occasions, and has been without a full-time Executive Officer for one and one-half years. Since its creation in 1968, the Human Relations Agency has been playing the major role in coordinating the State's correctional efforts. Also, because of the Board's composition (almost entirely Department Directors and Parole Board members who are appointed by the Governor), it cannot always speak out forcefully on key issues, such as a reassessment of the probation subsidy program. Finally, when current Board members were asked to describe the strengths of the Board, four members replied "none", and a fifth member indicated that there were none, except a minor role.

Recommendation

27. The Board of Corrections should be abolished and all of its responsibilities transferred to other appropriate organizations as follows:

a. Reponsibility for jail inspection transferred to the Department of Correctional Services.

b. Responsibility for planning and coordination of the effort of the State of California in the criminal justice field transferred to the California Council on Criminal Justice and to the Secretary of Human Relations.

c. The power to commission special studies transferred to the Secretary of Human Relations.

d. The general advisory correctional function and legislative function transferred to the Department of Correctional Services in the form of a newly established Corrections Advisory Commission.

While it has been suggested by some sources that the Board of Corrections should be enlarged, strengthened, and reconstituted in order to overcome its current weaknesses, it is the position of the System Task Force that a better alternative would be to create a statewide Corrections Advisory Commission, as described in the following section.

V. CORRECTIONS ADVISORY COMMISSION

If it is to truly change its nature and become an enabling and supportive organization for local correctional programs, the Department of Correctional Services will need continuous input, assistance, and critical evaluation from local correctional agencies and other concerned and informed persons. It is thus envisioned that the Department would benefit from a body charged with this function and, in turn, the counties would have a vehicle for insuring regular input on issues which directly or indirectly concern them.

The System Task Force recommends that this vehicle be formalized as the Corrections Advisory Commission. Membership on the Commission should include local correctional experts and other persons who might contribute to the shaping and functioning of the Department of Correctional Services.

The Commission would work directly with the Department of Correctional Services in dealing with such problems as the formulation of correctional goals, correctional practices, standard setting, legislative programs, and general program development and evaluation. It could in this process aggressively provide much of the input about local correctional concerns which is lacking in the current arrangement. It is noted, for example, that within the current Board of Corrections, only one member is a local official, and that there is no statutory requirement for any such local respresentative. This Commission might also serve as an informal vehicle for resolving, together with the new Department director, complaints or appeals from local agencies relative to the administration of standards or other issues.

Recommendation

28. A Corrections Advisory Commission should be established to work directly with the Department of Correctional Services in shaping the direction and functioning of the Department relative to supplying supportive and enabling services for local corrections.

Membership on the Commission should include:

a. Representatives of community correctional programs.

b. Community leaders.

c. Experts in the field of crime and corrections.

d. Business and professional leaders.

e. Representatives of the judiciary.

f. Representatives of law enforcement.

VI. CONCLUSION

The Department of Correctional Services is a concept which is predicated on the analysis and conclusions of the entire study. It is believed that the Department of Correctional Services as suggested represents the pivotal point for the regeneration and redirection of the total correctional effort of the State. The challenge of crime in all of the communities of the State of California is so great and perplexing that it requires the State of California to seek out new models and new organizational forms to meet this challenge. It is the belief of this study that a new Department of Correctional Services, charged with specific responsibilities and given the support suggested, could provide the leadership for the entire State in achieving the objectives of meeting the challenge of crime with equality and justice and providing protection to the citizens of this State.

FOOTNOTES

[1]Section 5001, Chapter I, California Penal Code, as enacted by Third Extraordinary Session, 1944.

[2]Data provided to study staff by Peter Bensinger, Director, Illinois State Department of Corrections, October, 1970.

CHAPTER VIII

ADMINISTRATIVE STYLE

The previous chapters of this Report have described and discussed the contemporary correctional system in the State of California. Attention has been focused particularly on the problems of this system. A number of recommendations have been made which suggest both programmatic and organizational change. The recommendations for organizational change call for a substantial restructuring of the correctional system. Implicit in these recommendations is a need for a modified or new style of administrative operation. Reorganization efforts could easily fail if essentially the same operative and administrative styles are continued. Modification of the correctional organization demands a concomitant change in the administrative style of the organization.

I. ORGANIZATIONAL STYLE

"Most organizations have a structure that was designed to solve problems that no longer exist."[1] Much of what any bureaucratic organization accomplishes after reaching its full development and stability is the promotion of its own internal quest for organizational harmony. The processes which develop to insure the internal preservation of the organization are those which tend to develop rigidity, diminish communication, and mitigate against change. In brief, all bureaucratic organizations tend to develop and implement policies that maximize rewards and minimize strains for the organization.[2]

Contemporary correctional organization is no exception to the above descriptions. Correctional institutions have traditionally provided a classic example of the concern for a "smooth-running ship" over all else; however, a "Don't rock the boat" philosophy frequently permeates field service units as well. Typically, the correctional organization is one with highly defined boundaries of work, a set of traditional definitions of work relationships, and a heavy emphasis upon the pregrogatives of one's position. Contemporary correctional organization is also divided into different segments with highly structured role definitions and expectations for each segment, e.g. custody vs. treatment; professional vs. non-professional. The segments of the organization have typically been added on to the organization rather than developed from within it. Moreover, the addition of new segments to the structure has typically occurred without concern regarding the organization's original mission. These segments were created and added as a result of changes in the problems presented by the clients served by the organization; hence, the organization was expected to achieve other, and at times contradictory, missions than the original one. The present organizational and operational motif in corrections is highly stratified, divided into fractionated segments or sections, with an explicit protocol defining the modus operandi of life for section with section, role with role, and level with level.

As suggested in Chapter IV, the type of organizational structure found in most correctional components seems ill-equipped to confront contemporary correctional problems. Table IX summarizes questionnaire responses from

TABLE IX

INTERNAL ORGANIZATIONAL CHARACTERISTICS
(Percentage distribution)

AGENCY CHARACTERISTIC	Parole CYA	Parole CDC	Probation Juvenile	Probation Adult	Jails	Juv. Insts. CYA	Juv. Insts. County
MORALE							
High	15	32	32	28	39	34	11
In between	36	38	43	42	38	43	33
Low	50	29	26	30	23	22	56
PROMOTIONAL SYSTEM							
Satisfactory	19	31	49	42	58	50	63
Unsatisfactory	81	69	51	59	42	50	37
CLARITY OF PHILOSOPHY & POLICIES							
Clear	20	33	27	29	50	38	62
In between	45	36	39	33	36	38	22
Unclear	35	31	33	39	14	25	16
DOWNWARD COMMUNICATION							
Good	19	31	29	31	48		
Fair	32	37	35	31	31		
Poor	49	32	36	38	20		
UPWARD COMMUNICATION							
Good	18	33	26	28	41		
Fair	29	24	38	33	37		
Poor	54	43	36	40	22		

TABLE IX (Continued)

AGENCY CHARACTERISTIC	Parole CYA	Parole CDC	Probation Juvenile	Probation Adult	Jails	Juv. Insts. CYA	Juv. Insts. County
STAFF SHARE IN DECISION-MAKING							
Strong	7	24	11	12	11		
In between	26	26	30	20	25		
Little or none	67	51	59	68	64		
ENCOURAGES FLEXIBILITY & CREATIVITY							
Encourages	27	52	28	25	31		
In between	37	22	33	32	41		
Discourages	36	26	40	43	28		
PROGRESSIVE & RISK-TAKING							
Progressive	16	46	21	20	26		
In between	32	29	29	23	39		
Conservative	53	26	50	56	35		

several Task Force Reports relative to "internal" agency characteristics. Virtually all of the responses show that significant problems exist throughout correctional organizations.

The current situation in corrections is not dissimilar to the problems faced by medicine several years ago. Medicine found that the effective delivery of service was not being facilitated by the organizational structure and administrative patterns which had built up over several decades. In order to deliver medical care effectively and efficiently, it was necessary to develop a new organizational structure, and concomitantly, a new administrative style. Corrections could well profit from the lessons learned by medicine, and by concerning itself with problems which are similar in form although dissimilar in immediate substance.

The essential question confronting the correctional administrator in any reorganization effort is, "What kind of administrative style can best utilize the potential of the new structure?" The administrative style, of course, must be calculated to overcome the weaknesses of the former organization (along with its style). A modified administrative style must confront the problems of ridigity, inadequate communication, poor coordination, reduced creativity, and slow change. Fels has provided an instructive orientation for the correctional administrator who would seek to develop a new administrative style:

> "The general direction which organizational change will take is toward less rigidly structured relationships both within the work unit and between superior and subordinate. It can be predicted that administrative and management practices will move toward a results orientation, as opposed to the present activity orientation. This means that corrections will shift from a reliance on task and job descriptions, and on bureaus, divisions, sections, and the like to an organizational form more related to the client and his progress toward some sort of goal".[3]

In the preceding chapters of this Report it has been indicated that it is essential for corrections to formulate an achievable and specific statement of its goals. Simply stated, it is held that the goal of corrections should be to minimize the probability of new law-violative behavior on the part of offenders. Following this goal, it becomes incumbent upon each correctional organization to formulate a statement of goals which would be consistent with it. No longer can an organization state its purpose or goals in broad generalities and statements calculated to cater to an uninformed public, or similarly evade the issue of what the organization proposes to achieve. It is necessary for each organization to develop, in specific and measurable terms, a statement of its goals. Such a statement of goals must be realizable and acceptable in terms of staff role performance. Further, the goals must be modified as the problems presented by the clients change; and programs must also change as goals are modified. Thus, the changing needs of clients, as well as other conditions, must continuously be used as the basis for restating the organization's goals, and programs used to achieve them.

It is the opinion of the System Task Force that the structure and administrative style of correctional organizations in the State are no longer sufficiently responsive to the changing scene in American society, the correctional problems presented by current clientele, the changing body of knowledge regarding human behavior, or efforts currently underway to deal with problems of human conduct. A distinguished California correctional administrator has recognized the situation and seen it as the basic challenge confronting the contemporary correctional organization:

> "The California Youth Authority could suffer the same fate as the Borstal system if we are not more imaginative and creative in confronting the problems of our times and adapting existing resources to these new challenges and new problems.
>
> "We suffer from declining resources; I hope we do not also suffer from restricted thinking about the nature of the agency we are becoming."[4]

II. GENERAL CONSIDERATIONS

Today in American society, the growth of science, technology, and research have created a situation in which the organizational environment is rapidly changing. The organizational environment of corrections is perhaps somewhat more turbulent, less predictable, and less controllable than it is for many other public organizations. However, if it is to be effective, corrections must confront this changing environment and make the appropriate adjustments.

Below are several general considerations which the System Task Force believes must be understood before any effective reorganization can take place. After briefly discussing these factors, the following section will outline a set of principles on which a more efficient program management and administrative style may be based. The general considerations, which a number of authorities have noted,[5] are as follows:

1. Correctional agencies and organizations, increasingly, exist in an environment where they are affected by, and in turn affect, other organizations. Scientific developments and technological changes have made it very difficult for other seemingly unrelated organizations not to affect the operation of correctional programs. For example, the policies of local schools in dealing with truants affect local police agencies. In turn, police practices in handling such youths will in turn affect other components of criminal justice, such as juvenile hall staff, probation officers, and the juvenile court. Similarly, the actions of all of these groups affect each other. In short, the complexity of the correctional problem no longer allows for an easy and convenient separation of public and private, State and community, or institutional and field services.

2. The characteristics of the offender population have undergone changes, and will continue to change. Every organization in American society is affected in one way or another with the changes in population characteristics, particularly among youth, that have taken place over the past decade. This is especially true for corrections, which tends to receive those law-violating persons who pose the most trouble for society. Furthermore, the characteristics of correction's work force or potential work force have also changed. Most correctional organizations now have the potential for attracting individuals with educational and work qualifications earlier believed to be beyond reach. Furthermore, the ability and willingness of correctional workers to move with and for work opportunities has broadened the base of staff for all correctional organizations. At the same time, most correctional agencies find themselves confronted with a need to expand the utilization of personnel previously viewed as underqualified or not qualified for work roles in the organization, notably volunteers and para-professionals.

3. The work values of correctional employees have changed. The increased level of educational attainment, the mobility of workers, and the inclusion of workers previously excluded has resulted in a modification of the value placed on correctional work. Typically, correctional workers are now more intellectually committed to their jobs and less satisfied with the idea of work as simply a way of making a living. Part of this change is reflected in staff perceiving a greater need for involvement, participation, and autonomy in their work roles. This has been clearly seen in the various Task Force Reports. Workers are less affected by and oriented to the traditions of their respective agencies, and are more responsive to their work situation and the problems which it entails.

4. Tasks can no longer be assigned on the basis of the traditional descriptions and functional classifications. Correctional organizations are beginning to find it difficult to define work roles which do not require adjustment with constantly occurring changes. The tasks to be accomplished by a given staff member are difficult to confine to that one individual. Increasingly it is necessary to conceive of staff teams where each member performs a specific role in order to accomplish a more generalized task. Furthermore, as demands and problems change, the correctional administrator shifts the arrangement of his staff into new teams and work forces. Thus it has become necessary for correctional administrators and workers to define tasks and goals in relatively temporary terms; one task may require a certain arrangement and pooling of staff resources while another task will require a different arrangement.

   Thus, the organization of correctional agencies must increasingly take on a temporary and task-oriented quality. In the judgment of the System Task Force, one of the major responsibilities of the correctional administrator is to organize and coordinate teams of

staff to accomplish a particular goal in the most effective way. Once the goal is achieved, he must then reorganize his staff and other resources to meet other problems that he and his staff have identified.

5. Correctional agencies must be "geared" to change, and must not see themselves in only one light. The correctional scene in California, is changing rapidly, and it is therefore essential that local and State correctional agencies assume a flexible "problem-solving" posture. This means that an agency cannot put all of its "eggs in one basket" by totally committing itself to a given type of program or goal. Instead, as goals are achieved and problems solved, new goals and problems are identified. In turn, new programs involving different "mixtures" of staff and other resources are organized and coordinated to achieve them. In short, the most successful correctional agencies of the future will be those that have developed the capacity to remain flexible and adaptable to the changing needs of the offender population.

6. Correctional staff must play an increasingly active role in the decision-making process. The type of administrative style and organizational structure briefly described above places a greater emphasis on the ability of individual staff members to define the agency's goals and problems, to develop programs in order to achieve the goals and solve problems, and, in general, to assume a greater degree of responsibility in the decision-making process. The various Task Force Reports have clearly shown that staff members desire a more active role in making decisions relative to the direction and thrust of the agency. The style of correctional administration proposed in this Report is that which would encourage and reward staff participation in the areas mentioned above. Increased staff involvement in the decision-making process would result in increased staff motivation to do a better job in achieving previously-defined goals.

7. The levels of bureaucratic hierarchy should be as few as possible. Minimal participation in important decision-making and faulty communication were common discoveries by all Task Forces. These factors, however, are almost inherent in the nature of traditional bureaucratic organizational structures. For line staff and top administrators to be mutually close, mutually listened to, and mutually responsive, it is essential that unnecessary bureaucratic layers and other impediments between them be removed. This is commonly referred to as the "flattening" of an organization, and is viewed as essential to a progressive style of management.

8. Administrators must be more responsive to and supportive of all levels of staff. Correctional workers commonly observe that a rigid, impersonal, defensive approach to clients elicits negative reactions. Similarly, correctional administrators who adopt such a posture toward staff can expect resentment, a decline in morale, and either stifling of initiative or rebelliousness. For staff to be progressive and "risk-taking", their leaders must both encourage such traits and exhibit them personally.

III. PRINCIPLES OF PROGRAM MANAGEMENT

This section outlines a set of principles which the System Task Force believes necessary for California correctional organizations to adopt if their programs are to be managed more effectively and efficiently. The principles reflect a philosophy that the general aim of correctional programs is to achieve their objectives in the most effective, efficient, and inexpensive way possible. At the present time, segments of California's Human Relations Agency are developing policies based on the principles below, and this Task Force believes that now is the propitious time for all of corrections to adopt them. The principles are as follows:

1. Correctional programs are developed and implemented to meet needs that have been clearly identified and defined.

2. The objectives of correctional programs must be clear. They must be stated in a way that progress toward the objectives can be evaluated. Information resulting from periodic evaluations should be communicated to the workers who are responsible for conducting the program, so that they may know exactly how they are doing in achieving the objectives.

3. Each correctional program must have a defined beginning and end. When it is seen, as a result of evaluation, that the objective is close to being achieved, this signals the conclusion of the program. Correctional programs should also be limited in terms of their duration; many times correctional programs continue to exist because of sheer inertia.

4. In managing correctional programs, activities are planned and resources are called upon and utilized only as they are needed. They are subsequently released so that they can be used in other programs that are being developed by the correctional agency.

5. The staff member who manages a correctional program has authority over it and is held accountable for its operation and its success. The success of a program is always to be determined by how fully the program accomplished its stated objective. If a program is not meeting its stated objective, then it should be modified or completely abandoned in favor of an alternative program.

6. The scheduling of staff and other resources is an important consideration in the operation of correctional programs. There is no easy answer for the agency administrator who is faced with implementing several programs requiring the participation of the same people.

7. Once a correctional program has achieved its intended goal, it should be phased out. This is always a difficult task for the correctional administrator, and one of the solutions is to carefully schedule programs so that the "peaking" dates of some staff

do not conflict with the "peaking" dates of others; or as work begins to diminish in one program, staff who are no longer needed in Program A can begin to pick up on Program B. The correctional administrator needs to coordinate the scheduling of programs carefully.

IV. CONCLUSION

The magnitude of the problem of crime at this point in time, and for the foreseeable future, indicates that a large correctional system is required. However, the System Task Force believes that the size and complexity of the problem do not require an enormous organization that tends to be cumbersome and slow to change. What is needed, as suggested earlier in this Report, is a different organizational format. Essentially it has been argued that the bureaucratic hierarchy must be flattened and a new administrative style adopted. In this chapter principles of program management have been set forth as an effective correctional response because they are oriented to objectives and flexible in terms of meeting needs. Further, it is suggested that these principles will make better use of available professional resources, and will also allow for the introduction of nonprofessional staff who, at the present time, cannot be adequately accommodated within the administrative organization. In short, program management is a way of developing a feeling of responsibility in the individual, the organization, and the client group. It can provide an avenue for individual satisfaction, and at the same time, demonstrate tangible results to the society which it serves.

V. RECOMMENDATION

29. Correctional agencies should adopt a progressive program management and participatory style of administration.

FOOTNOTES

[1]John Gardner, No Easy Victories (New York: Harper & Row Publishers, 1969), p. 44.

[2]William J. Chambliss, (ed.), Crime and the Legal Process (New York: McGraw-Hill Book Co., 1969), p. 84.

[3]Marshall Fels, "Specialized Manpower in a Changing Correctional Climate" from Perspectives on Correctional Manpower & Training, staff report of Joint Commission on Correctional Manpower and Training (Lebanon: Sowers Printing Company, 1970), p. 48.

[4]Allen Breed, "The Metamorphosis of a Correctional Agency", speech presented in Goleta, California on April 14, 1971.

[5]Warren G. Bennis, Organization Development: Its Nature, Origins and Prospects (Reading: Addison-Wesley Publishing Co., 1969), p. 32.

CHAPTER IX

LOCAL AND STATE CRIMINAL JUSTICE COMMISSIONS

Throughout the course of this study, it became clear that need exists for the establishment of permanent local criminal justice commissions which would be charged with the responsibility of coordinating correctional efforts with those of law enforcement and other criminal justice bodies. The need was seen most clearly in the data collected by the Task Forces which examined county jails and probation, although it was felt that the creation of such an instrumentality would be beneficial to all of corrections. While a similar need also exists at the State level, a strengthened and reorganized California Council on Criminal Justice could, in the opinion of the System Task Force, provide much of the important coordinating and planning service statewide.

I. LOCAL CRIMINAL JUSTICE COMMISSION

In addition to data collected by the various Task Forces, observations made by previous studies lend further support to the creation of local criminal justice commissions as a means of providing direction and coordination of local criminal justice efforts. As early as 1921, the need was described by Roscoe Pound and Felix Frankfurter as they reported on the criminal justice system in Cleveland, Ohio;[1] almost fifty years later, the National Commission on the Causes and Prevention of Violence again underscored the necessity for a local, coordinative body:

> "The pervasive fragmentation of police, court and correctional agencies suggests that some catalyst is needed to bring them together. An assumption that parallel and overlapping public agencies will cooperate efficiently can no longer suffice as a substitute for deliberate action to make it happen in real life.
>
> "Periodic crime commissions -- which study these agencies, file reports, and then disappear -- are valuable, but they are too transient and non-operational for this coordinating role. A law enforcement council -- consisting of chief judges and agency heads who meet periodically -- is usually little more than another committee of over-committed officials.
>
> "A full-time criminal justice office is basic to the formation of a criminal justice system. Its optimum form, i.e., line or staff, and its location in the bureaucracy, need to be developed through experimentation."[2]

Although such local criminal justice commissions are not numerous, they have been established in New York City, Cleveland, Hartford, and Boston.[3] In California, the City and County of San Francisco is presently organizing a Criminal Justice Council. Resolution Number 89-71, adopted by the San Francisco County Board of Supervisors on February 16, 1971, cited the need for such a body as follows:

> "WHEREAS, The City and County of San Francisco desires to deal with these problems by providing for a series of improvements in, and the increased coordination of, the criminal justice system by encouraging coordination of the activities of all agencies, public and private, which contribute to the prevention and reduction of delinquency and crime, and by developing new methods for the prevention and reduction of delinquency and crime, particularly involvement of residents of high delinquency areas in self-help programs;
>
> **********
>
> "WHEREAS, The establishment of criminal justice coordinating bodies (CJC's) and staffs in major urban centers have been recommended strongly by experienced and knowledgeable people and bodies, including the President's Commission on Law Enforcement and the Administration of Criminal Justice;
>
> **********
>
> "RESOLVED, That his Honor, the Mayor, is hereby requested to appoint a....Criminal Justice Council....[4]

The System Task Force believes that the creation of local criminal justice commissions would be especially beneficial to corrections, since in the past it has operated in a vacuum, and has been isolated from other components of the criminal justice system.

Some specific responsibilities of a local criminal justice commission, as envisioned by the Task Force, would be the following:

1. To coordinate the activities of a centralized computer information system.

2. To serve as a clearing-agency for reports of program results as provided by local, State, and Federal governments, and by private research and management-consultant organizations.

3. To establish methods to maximize feedback from local elements of the criminal justice system.

4. To commission and direct special research projects, as the need arises.

5. To establish standards of effectiveness for specific programs, for the system, and for personnel within the system.

6. To avoid inconsistencies in the local criminal justice system, to eliminate duplications in service, and to fill gaps in service.

7. To effect a system-wide community relations and public education program.

8. To coordinate local criminal justice efforts with those of the State and Federal government.

9. To undertake other duties, as appropriate.

Obviously, many of these services should also be coordinated at the State level to avoid needless duplication and to increase the functioning of criminal justice as a system.

Recommendation

30. Legislation should be enacted establishing throughout California local Criminal Justice Commissions having the responsibility of coordinating correctional programs with those of law enforcement and other criminal justice bodies. All counties should be required to organize such Commissions, either individually or jointly with neighboring counties.

For the most part, the Task Force believes such commissions would be county-wide in jurisdiction, unless two or more counties wish to form a regional commission. In some areas, it may be desirable to designate some of the existing 21 regional instrumentalities of the California Council on Criminal Justice as the local criminal justice commission; in other areas, it may be desirable to create new local instrumentalities. The important consideration is that such commissions are, in fact, created, staffed, and made operative.

It is suggested that the local criminal justice commission consist of approximately 23 members, and that it be staffed by an executive officer and other personnel as needed. Membership of an ex-officio nature should include representatives from each of the recognized units of the local criminal justive system. Such members should include:

1. The Sheriff

2. The Chief Probation Officer

3. The District Attorney

4. The Public Defender, or in those jurisdictions which do not have a public defender, the director of a local legal aid program.

5. The Director of Honor Camps (for those jurisdictions which have such a position.

6. A chief of police

7. A judge of the superior court

8. A judge of the municipal or justice court

In addition, it is suggested that membership include the following:

1. The County Welfare Director

2. The County Superintendent of Schools

3. The Chairman of the Board of Supervisors

4. The County Chief Administrative Officer (if one exists)

5. A member of a city council

6. A local representative of the State Department of Correctional Services.

7. Nine public members, to be appointed by the Board of Supervisors, and to include representatives of private organizations which work with the criminal justice system, plus ex-offenders. The chairman of the commission should be a public member, and should be specified by the chairman of the Board of Supervisors, to serve for a period of one year, with the possibility of reappointment. Public members should be appointed for a period of not less than four years, nor more than six years.

It is also suggested that all existing local commissions and committees, such as Juvenile Justice Commissions, Delinquency Prevention Commissions, Advisory Committees on Adult Detention, and Correctional Facilities Planning Commissions, either be subsumed by the local criminal justice commission, or that they serve at the pleasure of the commission.

It is proposed that the overall function of the local criminal justice commission should be to provide coordination of the community's criminal justice efforts. It should monitor the local criminal justice program through information provided by local components of the system, and through data provided by the State Bureau of Criminal Statistics and the Criminal Justice Information System (a newly inaugurated five-year program to computerize criminal justice information, administered by the Department of Justice). The commission should not, however, exercise any functional authority over any of the units within the local justice system.

Staff for the local commission should consist of an executive director, and other personnel as required. All staff of local commissions should have adequate academic qualifications, preferably in the fields of law, criminology, sociology, police science, or public administration. In addition, they should have practical experience in one or more of the criminal justice fields.

II. A STATE CRIMINAL JUSTICE COUNCIL

Just as need is seen for a local criminal justice body, incorporating and coordinating corrections with other areas, similar need also exists at the State level. The System Task Force believes that the California Council on Criminal Justice could, with some modifications, perform this important task.

CCCJ was created by the Legislature in 1967, and was originally established as a criminal justice planning body. In 1968, it was designated by the Governor as the State agency through which funds emanating from the Federal Omnibus Crime Control and Safe Streets Act of 1968 could be distributed. Since 1968, a major portion of CCCJ's efforts has been in the area of funding. Authority for CCCJ, as well as the prescribed membership of the Council, is found in Sections 13800-13807 of the Penal Code. The Council has 29 members, including the Attorney General, 16 persons appointed by the Governor, 6 persons appointed by the Assembly, and 6 persons appointed by the Senate. From the standpoint of corrections, the composition of the Council is distressing in that representation from the field of probation, which is responsible for supervision of more than 70% of the State's correctional population, is conspicuously absent from membership!

The Penal Code specifies that the following persons shall be members of CCCJ:

a. the Attorney General

b. the Commissioner of the Department of the Highway Patrol

c. the Director of the Department of Corrections

d. the Director of the Department of Youth Authority

e. two members of the Senate

f. two members of the Assembly

g. a chief of police

h. a district attorney

i. a sheriff

j. two members of city councils

k. a public defender

l. two members of county boards of supervisors

m. a representative of the Commission of Peace Officer Standards and Training

n. a faculty member of a college or university qualified in the field of criminology, police science, or law

o. a person qualified in research, development, and systems technology

p. a representative of the California Judicial Council

q. a judge

r. a representative of California cities

s. a representative of California counties

Nowhere does the Penal Code require a representative from the field of probation. Considering the fact that probation has the responsibility for supervising the great majority of the State's correctional population, this is a serious omission. Several chief probation officers informed the study staff that they had called this matter to the attention of State officials, but with no results.[5]

In addition to a chief probation officer, it is suggested that consideration be given to the possibility of including a local director of honor camps on the Council.

CCCJ's central operation is located in Sacramento, and consists of approximately 60 staff and 9 specific Task Forces, plus 21 regional operations throughout the State. Thus far its primary role has been in the area of funding. However, the study staff has been advised that, effective immediately, CCCJ will place greater concentration on the areas of planning and coordination. It is understood that the reorganization adopted by the Council in March 1971 is specifically designed to strengthen criminal justice planning at the local level, e.g. by creating additional county-level regional councils.

Recommendations

31. Section 13800 of the Penal Code should be amended to mandate inclusion of a chief probation officer on the California Council on Criminal Justice.

32. To meet the need for coordination at the State level, the responsibilities and authority of the California Council on Criminal Justice should be expanded to provide for the needed coordination and planning at a statewide level.

Inasmuch as CCCJ already exists, and especially in view of its newly-adopted posture, the System Task Force believes that the Council is the logical body to serve as the State Criminal Justice Commission. The creation of a new body would result only in duplication. It should be reiterated, however, that if the Council is to do an effective job of coordinating the activities

in corrections throught the State, it is imperative that membership be expanded to include a chief probation officer. Coordination of criminal justice and correctional activities could best be accomplished by having close working relationships between CCCJ and the county Criminal Justice Commissions. CCCJ should be given the responsibility for such coordination, as well as for routine exchange of information and planning designs.

III. SUMMARY

The System Task Force believes that, through the vehicles of local criminal justice commissions and CCCJ, particularly with the latter's revision as recommended above, corrections will be able to operate more effectively as a member of the criminal justice "team". The benefits to local communities and to the State should be a better delivery of services, less duplication, and the elimination of gaps in service.

FOOTNOTES

[1]Roscoe Pound and Felix Frankfurter, Criminal Justice in Cleveland (Cleveland, 1921).

[2]Final Report, National Commission on the Causes and Prevention of Violence (Washington: U.S. Government Printing Office, 1969), p. 159.

[3]Data provided by San Francisco Lawyer's Committee for Urban Affairs, April 1, 1971.

[4]Resolution 89-71, San Francisco County Board of Supervisors, February 16, 1971.

[5]Legislation (SB 1264) has been introduced to accomplish this recommendation.

CHAPTER X

SUMMARY

Over the past decade crime in California has continued to increase not only in frequency but also in complexity and severity. Individuals rarely found in the past within the criminal population are today represented in considerable numbers. Middle-class youth, formerly represented in small numbers, are today included for offenses ranging from incorrigibility and delinquent tendencies to drug abuse and serious violence. Highly aggressive and violent offenders are, at all levels of society, becoming increasingly common. Additionally, greater numbers of mentally disturbed and psychologically unstable individuals have appeared in the offender population. The correctional system has been assigned the responsibility of working with these persons in order to give maximum assurance of their leading lives free of future criminal conduct.

Chief Justice Warren Burger of the U. S. Supreme Court has described the importance of this responsibility:[1]

> "The Correctional System at the third stage of the system of justice is at least as important as the police at the first stage and the courts in the center...Correctional systems which do not correct aggravate the problem of crime and public safety."

However, as in the case of police and courts, corrections has received increasing public attention and criticism for its failure to effectively correct. Traditionally, the response of corrections to the growing size and complexity of its population has been to call for increased money, staff, institutions, and program resources. To a considerable extent, an increase in resources and talent to deal with the growing population of offenders is required. However, the separate Task Force Reports and this Report have revealed that merely increasing the size of the present correctional operation, i.e. doing more of the same things, will not be sufficient. Too much of what is currently practiced in the correctional system is inadequate and is not materially reducing the magnitude of new criminal behavior.

The inescapable conclusion of this study is that the correctional "non-system" must be reorganized and developed into a coordinated system of functioning components, in which appropriate corrective efforts are utilized within a setting known to maximize the goals of corrections. Too much of what is done in corrections is known to be inappropriate, done at the wrong time or in the wrong place, impossible to accomplish in the given setting, and in many other ways unrelated to the realization of correctional goals.

Every component of the current correctional system can be improved. The separate Task Force Reports indicate how substantial progress can be made within each major component. However, if maximum progress is to be realized, it will be necessary to modify the overall organization of the correctional system.

This Report has presented an analysis of this problem as it was discovered in each of the component Task Force Reports. It has presented a description of the organizational problem as it is revealed in the weaknesses of jails, probation, juvenile and adult institutions, and parole. All of us are responsible for the creation of the problem -- communities, counties, and the State. The solution similarly rests with us all.

The State of California has repeatedly demonstrated itself capable of facing difficult and perplexing problems by seeking solutions in bold and innovative moves. This capability was demonstrated less than three decades ago when California moved to meet the correctional challenge of that era through the reorganization and revitalization of the correctional system. It was willing to adopt new correctional programs, new formats, and new techniques. It was willing to see that the price of change was far less than the price of immobility. It recognized that risk was the necessary ingredient for gain.

This Report and its companion Task Force Reports present a challenge to the State of California, its correctional practitioners, and its citizens to meet the perplexing and staggering problems of crime and corrections by changing those aspects of the system which are inadequate for today's task. It challenges the State and its communities to try new approaches by implementing a new format of organization, new styles of operation, and a modification in philosophy. It recommends a reallocation of the correctional dollar, accompanied by relevant increases and decreases in specific services and resources. It suggests new roles and new manpower recruitment and training for staff, plus new strategies for accomplishing the correctional goal. It also calls for meaningful coordination and integration between correction's own components and with the larger criminal justice apparatus in an effort to develop a true system.

This is the challenge. It will entail a commitment to change and a concerted effort by the State's correctional leaders and citizenry. However, if the recommendations put forward by this study are adopted and implemented, the challenge can be met. It can be met far more effectively than is presently the case. It can be met with savings in human suffering, misery and indignity as well as in cost. It can be met in a manner which better assures a correctional system that operates with economy, delivers effective results, and which assures offenders of what they have been promised--correctional assistance delivered with justice. The challenge is there. How will California respond?

FOOTNOTES

[1]Remarks delivered during 62nd National Conference of State Governors, August 12, 1970.

APPENDIX A

1969-70 COSTS AND PROJECTED COSTS FOR 15 STUDY COUNTIES

COUNTY	1969-70 COSTS*	PROJECTED COSTS**
ALAMEDA	$ 7,828,000	$ 6,774,000
DEL NORTE	151,000	127,000
FRESNO	2,590,000	2,943,000
HUMBOLDT	460,000	501,000
IMPERIAL	420,000	785,000
LOS ANGELES	51,415,000	52,796,000
SACRAMENTO	3,773,000	4,217,000
SAN BERNARDINO	4,353,000	4,867,000
SAN FRANCISCO	5,551,000	5,951,000
SAN JOAQUIN	1,986,000	2,251,000
SANTA BARBARA	1,437,000	1,597,000
SANTA CLARA	8,359,000	5,961,000
SUTTER	127,000	126,000
TEHAMA	89,000	125,000
TULARE	1,057,000	1,208,000
TOTAL	$89,596,000	$90,229,000

* Represents costs of county correctional operations in Categories I-V minus any State subsidies. Rounded to nearest thousand.

** Represents estimated cost to county for 1969-70 if proposed subsidy plan had been in operation.

* *

COUNTY	20% Increase in Commitments	20% Decrease in Commitments
ALAMEDA	$ 7,297,000	$ 6,253,000
LOS ANGELES	57,251,000	48,341,000
SAN JOAQUIN	2,455,000	2,003,000

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